Appendices

Appendix A. Assembly Bill No. 142

Assembly Bill No. 142

CHAPTER 661

An act to amend Section 5093.56 of, and to add Sections 5093.548 and 5093.549 to, the Public Resources Code, relating to wild and scenic rivers.

[Approved by Governor October 9, 2015. Filed with Secretary of State October 9, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

AB 142, Bigelow. Wild and scenic rivers: Mokelumne River.

(1) Existing law, the California Wild and Scenic Rivers Act, provides for a system of classification of those rivers or segments of rivers in the state that are designated as wild, scenic, or recreational rivers, for purposes of preserving the highest and most beneficial use of those rivers. The act requires the Secretary of the Natural Resources Agency to study and submit to the Governor and the Legislature a report that analyzes the suitability or nonsuitability for addition to the system of rivers or segments of rivers that are designated by the Legislature as potential additions to the system, and requires that each report contain specified information and recommendations with respect to the proposed designation.

This bill would require the secretary, in a report analyzing the suitability or nonsuitability of a proposed designation of the Mokelumne River, its tributaries, or segments thereof as additions to the system, to consider the potential effects of the proposed designation on future water requirements, as specified, and the effects of climate change on river values and current and projected water supplies, and to consider other factors. The bill would include any segment of the Mokelumne River designated for potential addition within certain protections afforded to wild and scenic rivers until the completion of the study period and the implementation of any recommendation to add the segment of the Mokelumne River to the system, or December 31, 2021, whichever occurs first.

The bill would also designate specified segments of the Mokelumne River for potential addition to the system. The bill would require the secretary to submit a report pursuant to the above-described requirements to the Legislature and Governor no later than December 31, 2017, and would require the report to include a clear recommendation on the suitability or nonsuitability for addition to the system of each of the designated segments of the Mokelumne River. The bill would require the secretary to enter into a cost-sharing agreement with the Upper Mokelumne River Watershed Authority that would require the state and the authority to each pay a specified portion of the cost of the report. By imposing new duties on a local government entity, the bill would impose a state-mandated local program.

(2) The bill would declare that due to the unique geographical features of the Mokelumne River and its tributaries, a general statute within the meaning of specified provisions of the California Constitution cannot be made applicable and a special statute is necessary.

(3)The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. (a) It is the intent of the Legislature that the entities responsible for the Mokelumne Watershed Interregional Sustainability Evaluation Program may seek state funding for which the feasibility studies and assessments described in paragraph (3) of subdivision (a) of Section 5093.548 of the Public Resources Code are eligible.

(b) It is further the intent of the Legislature that, until the completion of the study and report referenced in subdivision (c) of Section 5093.548 of the Public Resources Code and the implementation of any recommendation to add segments to the wild and scenic rivers system, or until December 31, 2021, whichever occurs first, state and local government entities may participate in any collaborative process convened by the Pacific Gas and Electric Company to discuss a pumped storage project in the upper Mokelumne River watershed, if the project is designed to avoid harm to the free-flowing condition and natural character of the segments of the river described in Section 5093.549 of the Public Resources Code, and to the recreational, cultural, historical, scenic, and water quality values of those segments.

SEC. 2. Section 5093.548 is added to the Public Resources Code, to read:

5093.548. (a) Notwithstanding Section 5093.547, prior to the designation of the Mokelumne River, its tributaries, or segments thereof as additions to the system, the secretary shall study and submit to the Governor and the Legislature a report that analyzes the suitability or nonsuitability of the proposed designation. The suitability analysis contained in the report shall consider all of the following:

(1) The potential effects of the proposed designation on the ability of public agencies and utilities within the Mokelumne River watershed to meet current and projected future water requirements through the development of new and more reliable water supplies from the Mokelumne River and its tributaries. When considering projected future water requirements, the secretary shall only consider feasible projects to meet foreseeable demands.

(2) Any effects of climate change on river values described in Section 5093.50 and current and projected water supplies.

(3) The following feasibility studies and assessments included within the implementation plan of the Mokelumne Watershed Interregional Sustainability Evaluation, Final Report dated June 12, 2015: 7a, 7b, 7d, and 7f. The inclusion of these studies and assessments in this subdivision shall not be construed as an exemption from wild and scenic designation.

(4) The instances when the secretary has determined pursuant to Section 5093.55 that a water diversion facility may be constructed on a river or segment of a river that is part of the system.

(5) The instances when the State Water Resources Control Board has approved an application to appropriate water from a river or a segment of a river that is part of the system and what restrictions, if any, were placed on the appropriation of water as a result of the river or segment of a river's inclusion in the system.

(b) The report shall also include the information required in subdivision (b) of Section 5093.547 and the secretary's recommendations and proposals with respect to the proposed designation.

(c) The report required for the segments of the Mokelumne River designated for potential addition to the system pursuant to Section 5093.549 shall be submitted to the Legislature and Governor no later than December 31, 2017, and shall include a clear recommendation on the suitability or nonsuitability for addition to the system of each of the designated segments of the Mokelumne River.

(d) A study undertaken by the secretary pursuant to subdivision (a) shall provide for public input from a broad range of stakeholders.

(e) A report required to be submitted pursuant to subdivision (a) shall be submitted in compliance with Section 9795 of the Government Code.

(f) Until the completion of the study period and the implementation of any recommendation to add segments to the system, or December 31, 2021, whichever occurs first, no dam, reservoir, diversion, or other water impoundment facility may be constructed on any segment designated for study by the secretary as a potential addition to the system unless the secretary determines that the facility is needed to supply domestic water to the residents of the county or counties through which the river and segment flows and the secretary determines that the facility will not adversely affect the free-flowing condition and natural character of the river and segment. This subdivision shall not apply to, and shall not in any way affect, Amador Water Agency's water rights application 5647X03 pending before the State Water Resources Control Board.

(g) (1) The secretary shall develop a cost estimate of the study and report required by subdivision (c) and enter into a cost-sharing agreement with the Upper Mokelumne River Watershed Authority. The cost-sharing agreement shall require that the state pay not more than 50 percent of the cost of the study and report required by subdivision (c), with the remaining cost to be paid by the authority. The payment by the authority may consist of appropriated funds or a contribution of services.

(2) Nothing in this section shall preclude any private donations or contributions from interested parties to be used for the purposes of this subdivision.

SEC. 3. Section 5093.549 is added to the Public Resources Code, to read:

5093.549. The following segments of the North Fork and main stem Mokelumne River are hereby designated for potential addition to the system.

(a) The North Fork Mokelumne River from 0.50 miles downstream of the Salt Springs 97-006 Dam to 0.50 miles upstream of the Tiger Creek Powerhouse.

(b) The North Fork Mokelumne River from 1,000 feet downstream of the Tiger Creek Afterbay 97-105 Dam to State Highway Route 26.

(c) The North Fork Mokelumne River from 400 feet downstream of the small reregulating dam at the outlet of the West Point Powerhouse to the confluence of the North and Middle Forks of the Mokelumne River.

(d) The main stem of the Mokelumne River from the confluence of the North and Middle Forks to 300 feet upstream of the Electra Powerhouse.

(e) The main stem of the Mokelumne River from 300 feet downstream of the small reregulating dam downstream of the Electra Powerhouse to the Pardee Reservoir flood surcharge pool at 580 feet elevation above mean sea level.

SEC. 4. Section 5093.56 of the Public Resources Code is amended to read:

5093.56. No department or agency of the state may assist or cooperate, whether by loan, grant, license, or otherwise, with any department or agency of the federal, state, or local government, in the planning or construction of a dam, reservoir, diversion, or other water impoundment facility that could have an adverse effect on the free-flowing condition and natural character of either of the following:

(a) The rivers and segments thereof designated in Section 5093.54 as included in the system.

(b) The segments of the Mokelumne River designated in Section 5093.549 for study by the secretary as potential additions to the system until after the study period and implementation of any recommendations have been completed, or December 31, 2021, whichever occurs first. This subdivision shall not apply to, and shall not in any way affect, Amador Water Agency's water rights application 5647X03 pending before the State Water Resources Control Board, or prejudice, alter, affect in any way, or interfere with the maintenance, repair, or operation by the Pacific Gas and Electric Company of the Mokelumne River Project (FERC 137) currently under the 2001 Federal Energy Regulatory Commission license for the project, the incorporated settlement agreement, any license amendments made with the agreement of the parties to the incorporated settlement agreement, and any adjustment of flows permitted to occur pursuant to the license for enhancement of ecological resources.

SEC. 5. Due to the unique geographical features of the Mokelumne River and its tributaries, the Legislature hereby finds and declares that a

special law is necessary and a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution.

SEC. 6. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district are the result of a program for which legislative authority was requested by that local agency or school district, within the meaning of Section 17556 of the Government Code and Section 6 of Article XIII B of the California Constitution.

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Appendix B. California Wild and Scenic Rivers Act and Brief History

PUBLIC RESOURCES CODE - PRC

DIVISION 5. PARKS AND MONUMENTS [5001 - 5873]

(Division 5 added by Stats. 1939, Ch. 94.)

CHAPTER 1.4. California Wild and Scenic Rivers Act [5093.50 - 5093.70]

(Chapter 1.4 added by Stats. 1972, Ch. 1259.)

5093.50.

It is the policy of the State of California that certain rivers which possess extraordinary scenic, recreational, fishery, or wildlife values shall be preserved in their free-flowing state, together with their immediate environments, for the benefit and enjoyment of the people of the state. The Legislature declares that such use of these rivers is the highest and most beneficial use and is a reasonable and beneficial use of water within the meaning of Section 2 of Article X of the California Constitution. It is the purpose of this chapter to create a California Wild and Scenic Rivers System to be administered in accordance with the provisions of this chapter.

(Amended by Stats. 1982, Ch. 1481, Sec. 1.)

5093.51.

This chapter shall be known as the California Wild and Scenic Rivers Act.

(Added by Stats. 1972, Ch. 1259.)

5093.52.

As used in this chapter, the following terms have the following meaning:

(a) “Secretary” means the Secretary of the Resources Agency.

(b) “Resources Agency” means the Secretary of the Resources Agency and any constituent units of the Resources Agency that the secretary determines to be necessary to accomplish the purposes of this chapter.

(c) “River” means the water, bed, and shoreline of rivers, streams, channels, lakes, bays, estuaries, marshes, wetlands, and lagoons, up to the first line of permanently established riparian vegetation.

(d) “Free-flowing” means existing or flowing without artificial impoundment, diversion, or other modification of the river. The presence of low dams, diversion works, and other minor structures does not automatically bar a river’s inclusion within the system. However, this subdivision does not authorize or encourage future construction of those structures on any component of the system.

(e) “System” means the California Wild and Scenic Rivers System.

(f) “Land use regulation” means the regulation by any state or local governmental entity, agency, or official of any activities that take place other than directly on the waters of the segments of the rivers designated in Section 5093.54.

(g) “Director” means the Director of Fish and Game.

(h) “Immediate environments” means the land immediately adjacent to the segments of the rivers designated in Section 5093.54.

(i) “Special treatment areas” means, for purposes of this chapter, those areas defined as special treatment areas in Section 895.1 of Title 14 of the California Code of Regulations, as in effect on January 1, 2004, as that definition applies to wild and scenic river segments designated from time to time in Section 5093.54, and also includes areas within 200 feet of the watercourse transition line of a state-designated recreational river segment designated in Section 5093.54 that may be at risk during timber operations.

(j) “Board” means the State Board of Forestry and Fire Protection.

(Amended by Stats. 2004, Ch. 545, Sec. 1. Effective January 1, 2005.)

5093.53.

Those rivers or segments of rivers included in the system shall be classified as one of the following:

(a) Wild rivers, which are those rivers or segments of rivers that are free of impoundments and generally inaccessible except by trail, with watersheds or shorelines essentially primitive and waters unpolluted.

(b) Scenic rivers, which are those rivers or segments of rivers that are free of impoundments, with shorelines or watersheds still largely primitive and shorelines largely undeveloped, but accessible in places by roads.

(c) Recreational rivers, which are those rivers or segments of rivers that are readily accessible by road or railroad, that may have some development along their shorelines, and that may have undergone some impoundment or diversion in the past.

(Amended by Stats. 1982, Ch. 1481, Sec. 3.)

5093.54.

The following rivers and segments thereof are designated as components of the system:

(a) Klamath River. The main stem from 100 yards below Iron Gate Dam to the Pacific Ocean; the Scott River from the mouth of Shackleford Creek west of Fort Jones to the river mouth near Hamburg; the Salmon River from Cecilville Bridge to the river mouth near Somesbar; the North Fork of the Salmon River from the intersection of the river with the south boundary of the Marble Mountain Wilderness Area to the river mouth; Wooley Creek from the western boundary of the Marble Mountain Wilderness Area to its confluence with the Salmon River.

(b) Trinity River. The main stem from 100 yards below Lewiston Dam to the river mouth at Weitchpec; the North Fork of the Trinity from the intersection of the river with the southern boundary of the Salmon-Trinity Primitive Area downstream to the river mouth at Helena; New River from the

intersection of the river with the southern boundary of the Salmon-Trinity Primitive Area downstream to the river mouth near Burnt Ranch; South Fork of the Trinity from the junction of the river with State Highway Route 36 to the river mouth near Salver.

(c) Smith River. The main stem from the confluence of the Middle and South Forks to its mouth at the Pacific Ocean; the Middle Fork from its source about three miles south of Sanger Lake as depicted on 1956 USGS 15′"Preston Peak" topographic map to the middle of Section 7 T17N R5E; the Middle Fork from the middle of Section 7 T17N R5E to the middle of Section 6 T17N R5E; the Middle Fork from the middle of Section 6 T17N R5E to one-half mile upstream from the confluence with Knopki Creek; the Middle Fork from one-half mile upstream from the confluence with Knopki Creek to the confluence with the South Fork; Myrtle Creek from its source in Section 9 T17N R1E as depicted on 1952 USGS 15′ "Crescent City" topographic map to the middle of Section 28 T17N R1E; Myrtle Creek, from the middle of Section 28 T17N R1E to the confluence with the Middle Fork; Shelly Creek from its source in Section 1 T18N R3E as depicted on 1951 USGS 15′"Gasquet" topographic map to the confluence with Patrick Creek; Kelly Creek from its source in Section 32 T17N R3E as depicted on 1951 USGS 15′ "Gasquet" topographic map to the confluence with the Middle Fork; Packsaddle Creek from its source about 0.8 miles southwest of Broken Rib Mountain as depicted on 1956 USGS 15′ "Preston Peak" topographic map to the eastern boundary of Section 3 T17N R1E; Packsaddle Creek from the eastern boundary of Section 3 T17N R4E to the northern boundary of Section 3 T17N R4E; Packsaddle Creek from the northern boundary of Section 3 T17N R4E to the confluence with the Middle Fork; East Fork Patrick Creek from its source in Section 10 T18N R3E as depicted on 1951 USGS 15′ "Gasquet" topographic map to the confluence with West Fork Patrick Creek; West Fork Patrick Creek from its source in Section 18 T18N R3E as depicted on 1951 15′ "Gasquet" topographic map to the confluence with East Fork Patrick Creek; Griffin Creek from its source about 0.2 miles southwest of Hazel View Summit as depicted on 1956 USGS 15′ "Preston Peak" topographic map to the confluence with the Middle Fork; Knopki Creek from its source about 0.4 miles west of Sanger Peak as depicted on 1956 USGS 15′ "Preston Peak" topographic map to the confluence with Middle Fork; Monkey Creek from its source in the northeast quadrant of Section 12 T18N R3E as depicted on 1951 USGS 15′ "Gasquet" topographic map to the northern boundary of Section 26 T18N R3E; Monkey Creek from the northern boundary of Section 26 T18N R3E to the confluence with the Middle Fork; Patrick Creek from the junction of the East and West Forks of Patrick Creek to the confluence with Middle Fork; the North Fork from the California-Oregon boundary to the confluence with an unnamed tributary in the northern quarter Section 5 T18N R2E as depicted on 1951 USGS 15′ "Gasquet" topographic map; the North Fork from the confluence with an unnamed tributary in northern quarter of Section 5 T18N R2E to the southernmost intersection of eastern boundary Section 5 T18N R2E as depicted on 1951 USGS 15′ "Gasquet" topographic map; the North Fork from the southern-most intersection of the eastern boundary Section 5 T18N R2E as depicted on 1951 USGS 15′ "Gasquet" topographic map to the confluence with Stony Creek; the North Fork from the confluence with Stony Creek to the confluence with the Middle Fork; Diamond Creek from the California-Oregon state boundary to the confluence with High Plateau Creek; Diamond Creek from the confluence with High Plateau Creek to the confluence with the North Fork; Bear Creek from its source in Section 24 T18N R2E as depicted on 1951 USGS 15′ "Gasquet" topographic map to the confluence with Diamond Creek; Still Creek from its source in Section 11 T18N R1E as depicted on 1952 USGS 15′ "Crescent City" topographic map to the confluence with the North Fork Smith River; North Fork Diamond Creek from the California-Oregon state boundary to the confluence with Diamond Creek; High Plateau Creek from its source in Section 26 T18N R2E as depicted on 1951 USGS 15′ "Gasquet" topographic map to northern boundary Section 23 T18N R2E; High Plateau Creek from the northern boundary Section 23 T18N R2E to the confluence with Diamond Creek; the Siskiyou Fork from its source about 0.7 miles southeast of Broken Rib Mountain as depicted

on 1956 USGS 15′ “Preston Peak” topographic map to the confluence with the South Siskiyou Fork; the Siskiyou Fork from its confluence with the South Siskiyou Fork to the confluence with the Middle Fork; the South Siskiyou Fork from its source about 0.6 miles southwest of Buck Lake as depicted on 1956 USGS 15′ “Preston Peak” topographic map to the confluence with the Siskiyou Fork; the South Fork from its source about 0.5 miles southwest of Bear Mountain as depicted on 1956 USGS 15′ “Preston Peak” topographic map to Blackhawk Bar; the South Fork from Blackhawk Bar to the confluence with the Middle Fork; Williams Creek from its source in Section 31 T14N R4E as depicted on 1952 USGS 15′“Ship Mountain” topographic map to the confluence with Eight Mile Creek; Eight Mile Creek from its source in Section 29 T14N R4E as depicted on 1955 USGS 15′ “Dillon Mountain” topographic map to the confluence with the South Fork; the Prescott Fork from its source about 0.5 miles southeast of Island Lake as depicted on 1955 USGS 15′ “Dillon Mountain” topographic map to the confluence with the South Fork; Quartz Creek from its source in Section 31 T16N R4E as depicted on 1952 USGS 15′ “Ship Mountain” topographic map to the confluence with the South Fork; Jones Creek from its source in Section 36 T16N R3E as depicted on 1952 USGS 15′ “Ship Mountain” topographic map to the middle of Section 5 T15N R3E; Jones Creek from the middle of Section 5 T15N R3E to the confluence with the South Fork; Hurdygurdy Creek from its source about 0.4 miles southwest of Bear Basin Butte as depicted on 1956 USGS 15′ “Preston Peak” topographic map to the confluence with the South Fork; Gordon Creek from its source in Section 18 T16N R3E as depicted on 1951 USGS 15′ “Gasquet” topographic map to the confluence with the South Fork; Coon Creek from the junction of the two-source tributaries in the southwest quadrant of Section 31 T17N R3E as depicted on 1951 USGS 15′ “Gasquet” topographic map to the western boundary Section 14 T16N R2E; Coon Creek from the western boundary Section 14 T16N R2E to the confluence with the South Fork; Craigs Creek from its source in Section 36 T17N R2E as depicted on 1951 USGS 15′ “Gasquet” topographic map to the confluence with the South Fork; Buck Creek from its source at Cedar Camp Spring as depicted on 1952 USGS 15′ “Ship Mountain” topographic map to the confluence with the South Fork; Muzzleloader Creek from its source in Section 2 T15N R3E as depicted on 1952 USGS 15′ “Ship Mountain” topographic map to the confluence with Jones Creek; Canthook Creek from its source in Section 2 T15N R2E as depicted on 1952 USGS 15′ “Ship Mountain” topographic map to the confluence with South Fork.

(d) Eel River. The main stem from 100 yards below Van Arsdale Dam to the Pacific Ocean; the South Fork of the Eel from the mouth of Section Four Creek near Branscomb to the river mouth below Weott; Middle Fork of the Eel from the intersection of the river with the southern boundary of the Middle Eel-Yolla Bolly Wilderness Area to the river mouth at Dos Rios; North Fork of the Eel from the Old Gilman Ranch downstream to the river mouth near Ramsey; Van Duzen River from Dinsmores Bridge downstream to the river mouth near Fortuna.

(e) American River. The North Fork from its source to the Iowa Hill Bridge; the Lower American from Nimbus Dam to its junction with the Sacramento River.

(f) (1) West Walker River. The main stem from its source to the confluence with Rock Creek near the town of Walker; Leavitt Creek from Leavitt Falls to the confluence with the main stem of the West Walker River.

(2) Carson River. The East Fork from the Hangman’s Bridge crossing of State Highway Route 89 to the California-Nevada border.

(3) The Legislature finds and declares that, because the East Fork Carson River and West Walker River are interstate streams, and a source of agricultural water and domestic water for communities within the

counties of Alpine and Mono where they originate, it is necessary that the following special provisions apply:

(A) Nothing in this subdivision shall be construed to prohibit the replacement of diversions or changes in the purpose of use, place of use, or point of diversion under existing water rights, except that (i) no replacement or change shall operate to increase the adverse effect, if any, of the preexisting diversion facility or place or purpose of use, upon the free-flowing condition and natural character of the stream, and (ii) after January 1, 1990, no new diversion shall be constructed unless and until the secretary determines that the facility is needed to supply domestic water to the residents of any county through which the river or segment flows and that the facility will not adversely affect the free-flowing condition and natural character of the stream.

(B) Nothing in this chapter shall be construed as quantifying or otherwise affecting any equitable apportionment, or as establishing any upper limit, between the State of California and the State of Nevada of the waters of these streams.

(g) (1) The South Yuba River: From Lang Crossing to its confluence with Kentucky Creek below Bridgeport.

(2) Nothing in this subdivision shall prejudice, alter, delay, interfere with, or affect in any way, the existing rights of the Placer County Water Agency, the implementation of those rights; any historic water use practices; the replacement, maintenance, repair, operation, or future expansion of existing diversions, storage, powerhouses, or conveyance facilities or other works by the Placer County Water Agency; or changes in the purpose of use, places of use, points of diversion, or ownership of those existing water rights; nor shall anything in this subdivision preclude the issuance of any governmental authorization needed for utilization of those rights, except that no changes shall operate to increase the adverse effect, if any, of the preexisting facilities or places, or the purposes of use upon the free-flowing and natural character of the river segment designated herein.

(3) This subdivision shall become operative on January 1, 2001.

(h) Albion River. The Albion River from one-fourth mile upstream of its confluence with Deadman Gulch downstream to its mouth at the Pacific Ocean.

(i) Gualala River. The main stem Gualala River from the confluence of the North and South Forks to the Pacific Ocean.

(j) (1) Cache Creek from one-fourth mile below Cache Creek Dam to Camp Haswell.

(2) North Fork Cache Creek from the Highway 20 bridge to the confluence with the mainstem.

(3) The designation of Cache Creek under paragraphs (1) and (2) shall not prejudice, alter, delay, interfere with, or affect in any way, the existing water rights of the Yolo County Flood Control and Water Conservation District, or public water agencies within the Cache Creek watershed lying in the County of Lake, including the range of operations permitted under these existing water rights; any historic water use practices within existing water rights; or the replacement, maintenance, repair, or future expansion within existing water rights of existing diversion, storage, powerhouse, or conveyance facilities or other works by the Yolo County Flood Control and Water Conservation District or public water agencies within the Cache Creek watershed lying in the County of Lake.

(4) The designation of Cache Creek under paragraphs (1) and (2) shall not prejudice, alter, delay, interfere with, or affect any changes to the existing water rights of the Yolo County Flood Control and Water Conservation District, including changes to the purpose of use, place of use, points of diversion, quantity of water diverted, or ownership, or applications by the district for new water rights; provided, that the changes or applications do not involve the construction of a dam, reservoir, diversion, or other water impoundment facility within the segments of Cache Creek designated in paragraphs (1) and (2). Any such change or application shall be subject to all applicable constitutional, statutory, and judicial requirements, including the public trust doctrine.

(5) As the waters of the Cache Creek watershed are the sole source of supply within that watershed for the County of Lake, the designation of Cache Creek under paragraphs (1) and (2) shall not prejudice, alter, delay, interfere with, or affect any changes to the existing water rights of the public water agencies within the Cache Creek watershed lying in the County of Lake, including changes to the purpose of use, place of use, points of diversion, quantity of water diverted, or ownership, or applications by these agencies for new water rights; provided, that the changes or applications do not involve the construction of a dam, reservoir, diversion, or other water impoundment facility within the segments of Cache Creek designated in paragraphs (1) and (2). Any such change or application shall be subject to all applicable constitutional, statutory, and judicial requirements, including the public trust doctrine.

(6) (A) The designation of Cache Creek under paragraphs (1) and (2) shall not impair or affect in any way activities to manage or remove invasive or nonnative plants and animal species.

(B) The designation of Cache Creek under paragraphs (1) and (2) shall not impair or affect in any way activities to remediate mercury pollution; provided, that this activity does not involve the construction of a dam, reservoir, diversion, or other water impoundment facility within the segments of Cache Creek designated in paragraphs (1) and (2).

(7) (A) Neither the Governor nor an employee of a state agency or department shall apply to a secretary, department, agency, or other entity of the federal government for the designation of any portion of Cache Creek as a component of the national wild and scenic rivers system under the federal Wild and Scenic Rivers Act (16 U.S.C. Sec. 1271 et seq.).

(B) Neither the Governor nor an employee of a state agency or department shall expend funds preparing, filing, or otherwise submitting an application to a secretary, department, or other entity of the federal government for the designation of any portion of Cache Creek as a component of the national wild and scenic rivers system under the federal Wild and Scenic Rivers Act (16 U.S.C. Sec. 1271 et seq.).

(8) To the extent that this subdivision conflicts with other provisions of this chapter, this subdivision shall control.

(k) Other rivers which qualify for inclusion in the system may be recommended to the Legislature by the secretary.

(Amended by Stats. 2005, Ch. 576, Sec. 2. Effective January 1, 2006.)

5093.541.

(a) Notwithstanding the fact that the tributaries of the Smith River specified in this subdivision are not included in the system, no dam, reservoir, diversion, or other water impoundment facility shall be constructed on any of the following tributaries of the Smith River:

(1) Dominie Creek.

(2) Rowdy Creek.

(3) South Fork Rowdy Creek.

(4) Savoy Creek.

(5) Little Mill Creek.

(6) Bummer Lake Creek.

(7) East Fork Mill Creek.

(8) West Branch Mill Creek.

(9) Rock Creek.

(10) Goose Creek.

(11) East Fork Goose Creek.

(12) Mill Creek.

(b) All state agencies exercising powers under any other provision of law with respect to the protection and restoration of fishery resources shall continue to exercise those powers in a manner to protect and restore fishery resources in the tributaries specified in subdivision (a). In carrying out the provisions of this subdivision, any exercise of powers shall be consistent with the provisions of Section 5093.58.

(Added by Stats. 1982, Ch. 1481, Sec. 5.)

5093.542.

The Legislature finds and declares that the McCloud River possesses extraordinary resources in that it supports one of the finest wild trout fisheries in the state. Portions of the river have been appropriately designated by the Fish and Game Commission, pursuant to Chapter 7.2 (commencing with Section 1725) of Division 2 of the Fish and Game Code, as wild trout waters, with restrictions on the taking, or method of taking, of fish. The Legislature has determined, based upon a review of comprehensive technical data evaluating resources and potential beneficial uses, that potential beneficial uses must be balanced, in order to achieve protection of the unique fishery resources of the McCloud River, as follows:

(a) The continued management of river resources in their existing natural condition represents the best way to protect the unique fishery of the McCloud River. The Legislature further finds and declares that maintaining the McCloud River in its free-flowing condition to protect its fishery is the highest and most beneficial use of the waters of the McCloud River within the segments designated in subdivision (b),

and is a reasonable use of water within the meaning of Section 2 of Article X of the California Constitution.

(b) No dam, reservoir, diversion, or other water impoundment facility shall be constructed on the McCloud River from Algoma to the confluence with Huckleberry Creek, and 0.25 mile downstream from the McCloud Dam to the McCloud River Bridge; nor shall any such facility be constructed on Squaw Valley Creek from the confluence with Cabin Creek to the confluence with the McCloud River.

(c) Except for participation by the Department of Water Resources in studies involving the technical and economic feasibility of enlargement of Shasta Dam, no department or agency of the state shall assist or cooperate with, whether by loan, grant, license, or otherwise, any agency of the federal, state, or local government in the planning or construction of any dam, reservoir, diversion, or other water impoundment facility that could have an adverse effect on the free-flowing condition of the McCloud River, or on its wild trout fishery.

(d) All state agencies exercising powers under any other provision of law with respect to the protection and restoration of fishery resources shall continue to exercise those powers in a manner to protect and enhance the fishery of those segments designated in subdivision (b). In carrying out this subdivision, any exercise of powers shall be consistent with Section 5093.58.

(e) Nothing in this section shall prejudice, alter, affect in any way, or interfere with the construction, maintenance, repair, or operation by the Pacific Gas and Electric Company of the existing McCloud-Pit development (FERC 2106) under its license, or prevent Pacific Gas and Electric from constructing a hydroelectric generating facility by retrofitting the existing McCloud Dam if the operation of the facility does not alter the existing flow regime below the dam.

(Added by Stats. 1989, Ch. 215, Sec. 2.)

5093.545.

The classifications heretofore established by the secretary for the rivers or segments of rivers included in the system are revised and adopted as follows:

		Rivers	Classification
(a)	Klamath River: The Klamath River from the		
		FERC Project 2082 downstream boundary in Section 17 T47N R5W as shown on Exhibit K-7 sheet 1 dated May 25, 1962, to the river mouth at the Pacific Ocean	Recreational
(b)	Scott River:		
	(1)	The Scott River from Shackleford Creek to McCarthy Creek	Recreational
	(2)	The Scott River from McCarthy Creek to Scott Bar	Scenic
	(3)	The Scott River from Scott Bar to the confluence with the Klamath River	Recreational
(c)	Salmon River:		

		Rivers	Classification
	(1)	The Salmon River from the Forks of Salmon to the Lewis Creek confluence	Recreational
	(2)	The Salmon River from the Lewis Creek confluence to the Wooley Creek confluence	Scenic
	(3)	The Salmon River from the Wooley Creek confluence to the confluence with the Klamath River	Recreational
	(4)	The South Fork of the Salmon River from Cecilville to St. Claire Creek confluence	Recreational
	(5)	The South Fork from St. Claire Creek confluence to the Matthews Creek confluence	Scenic
	(6)	The South Fork from Matthews Creek confluence to the Forks of Salmon	Recreational
	(7)	The North Fork of the Salmon River from Marble Mountain Wilderness boundary to Mule Bridge Campground in Section 35 T12N R11W and Section 12 T11N R11W	Wild
	(8)	The North Fork from Mule Bridge Campground to the Forks of Salmon	Recreational
	(9)	Wooley Creek from the Marble Mountain Wilderness Area boundary to $^1/_2$ mile upstream of the confluence with Salmon River	Wild
	(10)	Wooley Creek downstream $^1/_2$ mile above the confluence with the Salmon River	Recreational
(d)	Trinity River:		
	(1)	The Trinity River from 100 yards below Lewiston Dam to Cedar Flat Creek confluence	Recreational
	(2)	The Trinity River from Cedar Flat Creek confluence to Gray Falls	Scenic
	(3)	The Trinity River from Gray Falls to the west boundary of Section 2 T8N R4E	Recreational
	(4)	The Trinity River from the west boundary of Section 2 T8N R4E to the confluence with the Klamath River at Weitchpec	Scenic
	(5)	The North Fork of the Trinity River from the Trinity Alps Primitive Area boundary to north boundary Section 20 T34N R11W	Wild
	(6)	The North Fork from the north boundary Section 20 T34N R11W to mouth	Recreational
	(7)	The South Fork Trinity River from Forest Glen to Hidden Valley Ranch	Wild
	(8)	The South Fork from Hidden Valley Ranch to the Naufus Creek confluence in Section 8 T1N R7E	Scenic

		Rivers	Classification
	(9)	The South Fork from the Naufus Creek confluence in Section 8 T1N R7E to Johnson Creek confluence near the boundary of Sections 13 and 14 T2N R6E	Wild
	(10)	The South Fork from Johnson Creek confluence near the boundary of Sections 13 and 14 T2N R6E to the boundary of Sections 25 and 36 T2N R6E	Scenic
	(11)	The South Fork from the boundary of Sections 25 and 36 T2N R6E to the footbridge near the mouth of Underwood Creek in Section 17 T4N R6E Humboldt Base and Meridian	Recreational
	(12)	The South Fork from the footbridge near the mouth of Underwood Creek in Section 17 T4N R6E to Todd Ranch in Section 18 T5N R5E	Wild
	(13)	The South Fork from Todd Ranch in Section 18 T5N R5E to the confluence with Main Trinity	Scenic
	(14)	New River from the Salmon Trinity Primitive Area boundary to the junction with the East Fork New River in Section 23 T7N R7E	Wild
	(15)	New River from the junction with the East Fork New River in Section 23 T7N R7E to 100 yards below Panther Creek Campground in Section 18 T6N R7E	Recreational
	(16)	New River from 100 yards below Panther Creek Campground in Section 18 T6N R7E to Dyer Creek confluence in Section 25 T26N R6E	Scenic
	(17)	New River from Dyer Creek confluence in Section 25 T26N R6E to the confluence with Trinity River	Wild
(e)	Smith River:		
	(1)	Smith River from the confluence of the Middle and South Forks to its mouth at the Pacific Ocean	Recreational
	(2)	Middle Fork Smith River from its source about 3 miles south of Sanger Lake as depicted on 1956 USGS 15´ “Preston Peak” topographic map to the middle of Section 7 T17N R5E	Wild
	(3)	Middle Fork Smith River from the middle of Section 7 T17N R5E to the middle of Section 6 T17N R5E	Scenic
	(4)	Middle Fork Smith River from middle of Section 6 T17N R5E to one-half mile upstream from the confluence with Knopki Creek	Wild
	(5)	Middle Fork Smith River from one-half mile upstream from the confluence with Knopki Creek to the confluence with South Fork Smith River	Recreational
	(6)	Myrtle Creek from its source in Section 9 T17N R1E as depicted on 1952 USGS 15´ “Crescent City” topographic map to the middle of Section 28 T17N R1E	Recreational
	(7)	Myrtle Creek from the middle of Section 28 T17N R1E to the confluence	Recreational

		Rivers	Classification
		with the Middle Fork Smith River	
	(8)	Shelly Creek from its source in Section 1 T18N R3E as depicted on 1951 USGS 15´ "Gasquet" topographic map to the confluence with Patrick Creek	Recreational
	(9)	Kelly Creek from its source in Section 32 T17N R3E as depicted on 1951 USGS 15´ "Gasquet" topographic map to the confluence with the Middle Fork Smith River	Recreational
	(10)	Packsaddle Creek from its source about 0.8 miles southwest of Broken Rib Mountain as depicted on 1956 USGS 15´ "Preston Peak" topographic map to the eastern boundary of Section 3 T17N R1E	Recreational
	(11)	Packsaddle Creek from the eastern boundary of Section 3 T17N R4E to the northern boundary of Section 3 T17N R4E	Recreational
	(12)	Packsaddle Creek from the northern boundary of Section 3 T17N R4E to the confluence with the Middle Fork of Smith River	Recreational
	(13)	East Fork Patrick Creek from its source in Section 10 T18N R3E as depicted on 1951 USGS 15´ "Gasquet" topographic map to the confluence with the West Fork Patrick Creek	Recreational
	(14)	West Fork Patrick Creek from its source in Section 18 T18N R3E as depicted on 1951 USGS 15´ "Gasquet" topographic map to the confluence with the East Fork Patrick Creek	Recreational
	(15)	Griffin Creek from its source about 0.2 miles southwest of Hazel View Summit as depicted on 1956 USGS 15´ "Preston Peak" topographic map to the confluence with the Middle Fork Smith River	Recreational
	(16)	Knopki Creek from its source about 0.4 miles west of Sanger Peak as depicted on 1956 USGS 15´ "Preston Peak" topographic map to the confluence with the Middle Fork Smith River	Recreational
	(17)	Monkey Creek from its source in the northeast quadrant of Section 12 T18N R3E as depicted on 1951 USGS 15´ "Gasquet" topographic map to the northern boundary of Section 26 T18N R3E	Recreational
	(18)	Monkey Creek from the northern boundary of Section 26 T18N R3E to the confluence with the Middle Fork of Smith River	Recreational
	(19)	Patrick Creek from the junction of East and West Forks of Patrick Creek to the confluence with the Middle Fork Smith River	Recreational
	(20)	North Fork Smith River from the California-Oregon boundary to the confluence with an unnamed tributary in the northern quarter Section 5 T18N R2E as depicted on 1951 USGS 15´ "Gasquet" topographic map	Wild
	(21)	North Fork Smith River from the confluence with an unnamed tributary in the northern quarter of Section 5 T18N R2E to the southernmost intersection of the eastern boundary of Section 5 T18N R2E as depicted on 1951 USGS 15´ "Gasquet" topographic map	Scenic
	(22)	North Fork Smith River from the southernmost intersection of the	Wild

		Rivers	Classification
		eastern boundary Section 5 T18N R2E as depicted on 1951 USGS 15´ “Gasquet” topographic map to the confluence with Stony Creek	
	(23)	North Fork Smith River from the confluence with Stony Creek to the confluence with the Middle Fork of the Smith River	Recreational
	(24)	Diamond Creek from the California-Oregon state boundary to the confluence with High Plateau Creek	Recreational
	(25)	Diamond Creek from the confluence with High Plateau Creek to the confluence with the North Fork Smith River	Recreational
	(26)	Bear Creek from its source in Section 24 T18N R2E as depicted on 1951 USGS 15´ “Gasquet” topographic map to the confluence with Diamond Creek	Recreational
	(27)	Still Creek from its source in Section 11 T18N R1E as depicted on 1952 USGS 15´ “Crescent City” topographic map to the confluence with the North Fork Smith River	Recreational
	(28)	North Fork Diamond Creek from the California-Oregon state boundary to the confluence with Diamond Creek	Recreational
	(29)	High Plateau Creek from its source in Section 26 T18N R2E as depicted on 1951 USGS 15´ “Gasquet” topographic map to the northern boundary Section 23 T18N R2E	Recreational
	(30)	High Plateau Creek from the northern boundary Section 23 T18N R2E to the confluence with Diamond Creek	Recreational
	(31)	Siskiyou Fork of Smith River from its source about 0.7 miles southeast of Broken Rib Mountain as depicted on 1956 USGS 15´ “Preston Peak” topographic map to the confluence with the South Siskiyou Fork of the Smith River	Wild
	(32)	Siskiyou Fork of the Smith River from the confluence with the South Siskiyou Fork of the Smith River to the confluence with the Middle Fork of the Smith River	Recreational
	(33)	South Siskiyou Fork of the Smith River from its source about 0.6 miles southwest of Buck Lake as depicted on 1956 USGS 15´ “Preston Peak” topographic map to the confluence with the Siskiyou Fork of the Smith River	Wild
	(34)	South Fork Smith River from its source about 0.5 miles southwest of Bear Mountain as depicted on 1956 USGS 15´ “Preston Peak” topographic map to Blackhawk Bar	Wild
	(35)	South Fork Smith River from Blackhawk Bar to the confluence with the Middle Fork Smith River	Recreational
	(36)	Williams Creek from its source in Section 31 T14N R4E as depicted on 1952 USGS 15´ “Ship Mountain” topographic map to the confluence with Eight Mile Creek	Recreational
	(37)	Eight Mile Creek from its source in Section 29 T14N R4E as depicted	Recreational

		Rivers	Classification
		on 1955 USGS 15´ “Dillon Mtn.” topographic map to the confluence with the South Fork Smith River	
	(38)	Prescott Fork of the Smith River from its source about 0.5 miles southeast of Island Lake as depicted on 1955 USGS 15´ “Dillon Mtn.” topographic map to the confluence with the South Fork Smith River	Recreational
	(39)	Quartz Creek from its source in Section 31 T16N R4E as depicted on 1952 USGS 15´ “Ship Mountain” topographic map to the confluence with the South Fork Smith River	Recreational
	(40)	Jones Creek from its source in Section 36 T16N R3E as depicted on 1952 USGS 15´ “Ship Mountain” topographic map to the middle of Section 5 T15N R3E	Recreational
	(41)	Jones Creek from the middle of Section 5 T15N R3E to the confluence with the South Fork of the Smith River	Recreational
	(42)	Hurdygurdy Creek from its source about 0.4 miles southwest of Bear Basin Butte as depicted on 1956 USGS 15´ “Preston Peak” topographic map to the confluence with the South Fork Smith River	Recreational
	(43)	Gordon Creek from its source in Section 18 T16N R3E as depicted on 1951 USGS 15´ “Gasquet” topographic map to the confluence with the South Fork Smith River	Recreational
	(44)	Coon Creek from the junction of the two source tributaries in the southwest quadrant of Section 31 T17N R3E as depicted on 1951 USGS 15´ “Gasquet” topographic map to the western boundary of Section 14 T16N R2E	Recreational
	(45)	Coon Creek from the western boundary of Section 14 T16N R2E to the confluence with the South Fork Smith River	Recreational
	(46)	Craigs Creek from its source in Section 36 T17N R2E as depicted on 1951 USGS 15´ “Gasquet” topographic map to the confluence with the South Fork Smith River	Recreational
	(47)	Buck Creek from its source at Cedar Camp Spring as depicted on 1952 USGS 15´ “Ship Mountain” topographic map to the confluence with the South Fork Smith River	Recreational
	(48)	Muzzleloader Creek from its source in Section 2 T15N R3E as depicted on 1952 USGS 15´ “Ship Mountain” topographic map to the confluence with Jones Creek	Recreational
	(49)	Canthook Creek from its source in Section 2 T15N R2E as depicted on 1952 USGS 15´ “Ship Mountain” topographic map to the confluence with the South Fork Smith River	Recreational
(f)	Eel River:		
	(1)	The Eel River from 100 yards below Van Arsdale Dam to the confluence with Tomki Creek	Recreational
	(2)	The Eel River from the confluence with Tomki Creek to the middle of	Scenic

		Rivers	Classification
		Section 22 T19N R12W	
	(3)	The Eel River from the middle of Section 22 T19N R12W to the boundary between Sections 7 and 8 T19N R12W	Recreational
	(4)	The Eel River from the boundary between Sections 7 and 8 T19N R12W to the confluence with Outlet Creek	Wild
	(5)	The Eel River from the confluence with Outlet Creek to the mouth at the Pacific Ocean	Recreational
	(6)	The South Fork of the Eel River from the mouth of Section Four Creek near Branscomb	Recreational
	(7)	The South Fork of the Eel River from Horseshoe Bend to the middle of Section 29 T23N R16W	Wild
	(8)	The South Fork of the Eel River from the middle of Section 29 T23N R16W to the confluence with the main Eel near Weott	Recreational
	(9)	Middle Fork of the Eel River from the intersection of the river with the southern boundary of the Middle Eel-Yolla Bolly Wilderness Area to the Eel River Ranger Station	Wild
	(10)	The Middle Fork of the Eel River from Eel River Ranger Station to Williams Creek	Recreational
	(11)	The Middle Fork of the Eel River from Williams Creek to the southern boundary of the northern quarter of Section 25 T22N R12W	Scenic
	(12)	The Middle Fork of the Eel River from the southern boundary of the northern quarter of Section 25 T22N R12W to the boundary between Sections 4 and 5 T21N R13W	Wild
	(13)	The Middle Fork of the Eel River from the boundary between Sections 4 and 5 T21N R13W to the confluence with main Eel at Dos Rios	Recreational
	(14)	The North Fork of the Eel River from the Old Gilman Ranch to the middle of Section 8 T24N R13W	Wild
	(15)	The North Fork of the Eel River from the middle of Section 8 T24N R13W to the boundary between Sections 12 and 13 T24N R14W	Recreational
	(16)	The North Fork of the Eel River from the boundary between Sections 12 and 13 T24N R14W to the confluence with main Eel	Wild
(g)	Van Duzen River:		
	(1)	The Van Duzen River from the Dinsmore Bridge to the powerline crossing above Little Larribee Creek	Scenic
	(2)	The Van Duzen River from the powerline crossing above Little Larribee Creek to the confluence with Eel River	Recreational
(h)	Lower American River: The Lower Ameri-		

		Rivers	Classification
		can River from Nimbus Dam to its junction with the Sacramento River	Recreational
(i)	North Fork American River:		
	(1)	The North Fork from the source of the North Fork American River to two and one-half miles above the Forest Hill-Soda Springs Road	Wild
	(2)	The North Fork from two and one-half miles above the Forest Hill-Soda Springs Road to one-half mile below the Forest Hill-Soda Springs Road	Scenic
	(3)	The North Fork from one-half mile below the Forest Hill-Soda Springs Road to one-quarter mile above the Iowa Hill Bridge	Wild
	(4)	The North Fork from one-quarter mile above the Iowa Hill Bridge to the Iowa Hill Bridge	Scenic
(j)	West Walker River:		
	(1)	West Walker River from Tower Lake to northern boundary of Section 10 (T5N, R22E)	Wild
	(2)	West Walker River From northern boundary of Section 10 (T5N, R22E) to the eastern boundary of Section 23 (T6N, R22E)	Scenic
	(3)	West Walker River from the eastern boundary of Section 23 (T6N, R22E) to the eastern boundary of Section 24 (T6N, R22E)	Recreational
	(4)	West Walker River from the eastern boundary of Section 24 (T6N, R22E) to the confluence with Little Walker River	Scenic
	(5)	West Walker River from the confluence with Little Walker River to the confluence with Rock Creek	Recreational
	(6)	Leavitt Creek from Leavitt Falls to the confluence with West Walker River	Scenic
(k)	East Fork Carson River: East Fork		
		Carson River from Hangman's Bridge crossing of state Highway 89 to the California-Nevada border	Scenic
(l)	(1) The South Yuba River:		
		(A) The South Yuba River from Lang Crossing to the confluence with Fall Creek	Scenic
		(B) The South Yuba River from the confluence with Fall Creek to the confluence with Jefferson Creek below the Town of Washington	Recreational
		(C) The South Yuba River from the confluence with Jefferson Creek to Edwards Crossing	Scenic
		(D) The South Yuba River from Edwards Crossing to its confluence with Kentucky Creek below Bridgeport	Scenic

		Rivers	Classification
	(2)	This subdivision shall become operative January 1, 2001.	
(m)	Albion River: The Albion River from one-fourth		
		mile upstream of its confluence with Deadman Gulch downstream to its mouth at the Pacific Ocean	Recreational
(n)	Gualala River: The main stem Gualala		
		River from the confluence of the North and South Forks to the Pacific Ocean	Recreational
(o)	Cache Creek:		
	(1)	North Fork Section: From Highway 20 two miles downstream to the confluence of Cache Creek and the North Fork Cache Creek	Scenic
	(2)	Mainstem Section:	
		(A) 1/4 mile downstream of Cache Creek Dam to the confluence with Davis Creek	Wild
		(B) Davis Creek confluence to 1 mile downstream of Davis Creek confluence	Scenic
		(C) 1 mile downstream of Davis Creek confluence to western boundary of Section 6 T12N R4W	Wild
		(D) Western boundary of Section 6 to the confluence with Bear Creek	Scenic
		(E) Bear Creek confluence to Camp Haswell	Recreational

(Amended by Stats. 2005, Ch. 576, Sec. 3. Effective January 1, 2006.)

5093.546.

Classification or reclassification of rivers or segments of rivers within the system as wild, scenic, or recreational shall be by statute. The secretary may recommend legislation to classify or reclassify rivers or segments of rivers within the system, and may include specific land use restrictions relative to each particular classification in such recommendations.

(Added by Stats. 1982, Ch. 1481, Sec. 7.)

5093.547.

(a) The secretary shall study and submit to the Governor and the Legislature reports on the suitability or nonsuitability for addition to the system of rivers or segments thereof which are designated by the Legislature as potential additions to the system. The secretary shall report to the Legislature his or her recommendations and proposals with respect to the designation of a river or segment.

(b) Each report, including maps and illustrations, shall show, among other things, the area included within the report, the characteristics which do or do not make the area a worthy addition to the system, the current status of land ownership and use in the immediate environment, and the reasonably foreseeable potential uses of the land and water which will be enhanced, foreclosed, or curtailed if the river or river segment were included in the system.

(Amended by Stats. 1995, Ch. 183, Sec. 2. Effective January 1, 1996.)

5093.548.

(a) Notwithstanding Section 5093.547, prior to the designation of the Mokelumne River, its tributaries, or segments thereof as additions to the system, the secretary shall study and submit to the Governor and the Legislature a report that analyzes the suitability or nonsuitability of the proposed designation. The suitability analysis contained in the report shall consider all of the following:

(1) The potential effects of the proposed designation on the ability of public agencies and utilities within the Mokelumne River watershed to meet current and projected future water requirements through the development of new and more reliable water supplies from the Mokelumne River and its tributaries. When considering projected future water requirements, the secretary shall only consider feasible projects to meet foreseeable demands.

(2) Any effects of climate change on river values described in Section 5093.50 and current and projected water supplies.

(3) The following feasibility studies and assessments included within the implementation plan of the Mokelumne Watershed Interregional Sustainability Evaluation, Final Report dated June 12, 2015: 7a, 7b, 7d, and 7f. The inclusion of these studies and assessments in this subdivision shall not be construed as an exemption from wild and scenic designation.

(4) The instances when the secretary has determined pursuant to Section 5093.55 that a water diversion facility may be constructed on a river or segment of a river that is part of the system.

(5) The instances when the State Water Resources Control Board has approved an application to appropriate water from a river or a segment of a river that is part of the system and what restrictions, if any, were placed on the appropriation of water as a result of the river or segment of a river's inclusion in the system.

(b) The report shall also include the information required in subdivision (b) of Section 5093.547 and the secretary's recommendations and proposals with respect to the proposed designation.

(c) The report required for the segments of the Mokelumne River designated for potential addition to the system pursuant to Section 5093.549 shall be submitted to the Legislature and Governor no later than December 31, 2017, and shall include a clear recommendation on the suitability or nonsuitability for addition to the system of each of the designated segments of the Mokelumne River.

(d) A study undertaken by the secretary pursuant to subdivision (a) shall provide for public input from a broad range of stakeholders.

(e) A report required to be submitted pursuant to subdivision (a) shall be submitted in compliance with Section 9795 of the Government Code.

(f) Until the completion of the study period and the implementation of any recommendation to add segments to the system, or December 31, 2021, whichever occurs first, no dam, reservoir, diversion, or other water impoundment facility may be constructed on any segment designated for study by the secretary as a potential addition to the system unless the secretary determines that the facility is needed to supply domestic water to the residents of the county or counties through which the river and segment flows and the secretary determines that the facility will not adversely affect the free-flowing condition and natural character of the river and segment. This subdivision shall not apply to, and shall not in any way affect, Amador Water Agency's water rights application 5647X03 pending before the State Water Resources Control Board.

(g) (1) The secretary shall develop a cost estimate of the study and report required by subdivision (c) and enter into a cost-sharing agreement with the Upper Mokelumne River Watershed Authority. The cost-sharing agreement shall require that the state pay not more than 50 percent of the cost of the study and report required by subdivision (c), with the remaining cost to be paid by the authority. The payment by the authority may consist of appropriated funds or a contribution of services.

(2) Nothing in this section shall preclude any private donations or contributions from interested parties to be used for the purposes of this subdivision.

(Added by Stats. 2015, Ch. 661, Sec. 2. Effective January 1, 2016.)

5093.549.

The following segments of the North Fork and main stem Mokelumne River are hereby designated for potential addition to the system.

(a) The North Fork Mokelumne River from 0.50 miles downstream of the Salt Springs 97-006 Dam to 0.50 miles upstream of the Tiger Creek Powerhouse.

(b) The North Fork Mokelumne River from 1,000 feet downstream of the Tiger Creek Afterbay 97-105 Dam to State Highway Route 26.

(c) The North Fork Mokelumne River from 400 feet downstream of the small reregulating dam at the outlet of the West Point Powerhouse to the confluence of the North and Middle Forks of the Mokelumne River.

(d) The main stem of the Mokelumne River from the confluence of the North and Middle Forks to 300 feet upstream of the Electra Powerhouse.

(e) The main stem of the Mokelumne River from 300 feet downstream of the small reregulating dam downstream of the Electra Powerhouse to the Pardee Reservoir flood surcharge pool at 580 feet elevation above mean sea level.

(Added by Stats. 2015, Ch. 661, Sec. 3. Effective January 1, 2016.)

5093.55.

Other than temporary flood storage facilities permitted pursuant to Section 5093.57, no dam, reservoir, diversion, or other water impoundment facility may be constructed on any river and segment thereof designated in Section 5093.54; nor may a water diversion facility be constructed on the river and

segment unless and until the secretary determines that the facility is needed to supply domestic water to the residents of the county or counties through which the river and segment flows, and unless and until the secretary determines that the facility will not adversely affect the free-flowing condition and natural character of the river and segment.

(Amended by Stats. 2004, Ch. 545, Sec. 2. Effective January 1, 2005.)

5093.56.

No department or agency of the state may assist or cooperate, whether by loan, grant, license, or otherwise, with any department or agency of the federal, state, or local government, in the planning or construction of a dam, reservoir, diversion, or other water impoundment facility that could have an adverse effect on the free-flowing condition and natural character of either of the following:

(a) The rivers and segments thereof designated in Section 5093.54 as included in the system.

(b) The segments of the Mokelumne River designated in Section 5093.549 for study by the secretary as potential additions to the system until after the study period and implementation of any recommendations have been completed, or December 31, 2021, whichever occurs first. This subdivision shall not apply to, and shall not in any way affect, Amador Water Agency's water rights application 5647X03 pending before the State Water Resources Control Board, or prejudice, alter, affect in any way, or interfere with the maintenance, repair, or operation by the Pacific Gas and Electric Company of the Mokelumne River Project (FERC 137) currently under the 2001 Federal Energy Regulatory Commission license for the project, the incorporated settlement agreement, any license amendments made with the agreement of the parties to the incorporated settlement agreement, and any adjustment of flows permitted to occur pursuant to the license for enhancement of ecological resources.

(Amended by Stats. 2015, Ch. 661, Sec. 4. Effective January 1, 2016.)

5093.57.

Nothing in this chapter shall be construed to prohibit any measures for flood protection, structural or nonstructural, necessary for the protection of lives and property along the Eel River as described in subdivision (d) of Section 5093.54, except for dams, reservoirs, or other water impoundment structures; provided, however, that such measures for flood protection may include facilities for temporary flood storage or flood storage basins on tributaries of the Eel River.

(Added by Stats. 1972, Ch. 1259.)

5093.58.

This chapter neither diminishes the power of the secretary or any other state or local official or agency under any other statute, nor conveys any authority, express or implied, to the secretary or any state or local agency, commission, board, or official to adopt or implement any interim or permanent order, rule, regulation, guideline, or directive concerning land use regulation.

(Repealed and added by Stats. 1982, Ch. 1481, Sec. 11.)

5093.60.

The Resources Agency shall be responsible for coordinating the activities of state agencies whose activities affect the rivers in the system with those of other state, local, and federal agencies with jurisdiction over matters which may affect the rivers.

(Repealed and added by Stats. 1982, Ch. 1481, Sec. 14.)

5093.61.

All departments and agencies of the state shall exercise their powers granted under any other provision of law in a manner that protects the free-flowing state of each component of the system and the extraordinary values for which each component was included in the system. All local government agencies shall exercise their powers granted under any other provision of law in a manner consistent with the policy and provisions of this chapter.

(Amended by Stats. 2004, Ch. 545, Sec. 4. Effective January 1, 2005.)

5093.62.

Nothing in this chapter shall affect the jurisdiction or responsibility of the state with regard to fish, wildlife, or their habitat. Hunting and fishing may be permitted on lands and waters administered as parts of the system under applicable state or federal laws and regulations.

(Amended by Stats. 1982, Ch. 1481, Sec. 16.)

5093.63.

Nothing in this chapter shall be construed to permit or require the reservation, use, or taking of private property for scenic, fishery, wildlife, or recreation purposes, for inclusion in the system or for other public use, without just compensation.

(Added by Stats. 1972, Ch. 1259.)

5093.64.

If any provision of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are severable.

(Added by Stats. 1972, Ch. 1259.)

5093.66.

(a) The Legislature hereby finds and declares that the enactment of this section is necessary in order to allow extraction and refinement of strategic metals at a site on Gasquet Mountain within the Smith River watershed.

(b) Notwithstanding subdivision (c) of Section 5093.54 or any other provisions of this chapter, Hardscrabble Creek and all of its tributaries, a tributary of the Smith River, are excluded from the system.

(c) Notwithstanding subdivision (a) of Section 5093.58 or any other provision of this chapter, Copper Creek and all of its tributaries, a tributary to the Smith River, located in Sections 26, 27, 28, 34, and 35 of Township 18 North, Range 1 East, within the County of Del Norte, are classified as recreational.

(d) In order to protect extraordinary scenic, recreational, fishery, or wildlife values within one-quarter mile of the north fork of the Smith River located in the County of Del Norte, no mining activity shall be permitted which would result in a significant adverse effect to these values within one-quarter mile of the north fork of the Smith River.

(e) Nothing in this section or Section 5093.67 is intended to modify or limit the regulatory authority of any state agency under any other provision of law.

(Amended by Stats. 1982, Ch. 1336, Sec. 12.)

5093.67.

In order to enhance the recreational qualities of rivers where temporary summer recreational dams have been constructed in the past to improve water oriented recreational opportunities for the public, the secretary may authorize the emplacement of temporary impoundments for recreational purposes on portions of rivers included in the system which are classified as recreational, if the secretary finds all of the following:

(a) There has been a history of impoundments at the location for recreational purposes.

(b) The impoundment will not cause an adverse effect on the fishery values of the river.

(c) The impoundment will be removed before it would interfere with anadromous fisheries.

(d) The impoundment will improve the recreational opportunities for the public.

(e) The impoundment will not adversely affect navigation, scenic qualities, and public access.

(Added by Stats. 1982, Ch. 14, Sec. 2. Effective February 5, 1982.)

5093.68.

(a) Within the boundaries of special treatment areas adjacent to wild, scenic, or recreational river segments, all of the following provisions shall apply, in addition to any other applicable provision under this chapter or generally, whether by statute or regulation:

(1) A timber operator, whether licensed or not, is responsible for the actions of his or her employees. The registered professional forester who prepares and signs a timber harvesting plan, a timber management plan, or a notice of timber operations is responsible for its contents, but is not responsible for the implementation or execution of the plan or notice unless employed for that purpose.

(2) A registered professional forester preparing a timber harvesting plan shall certify that he or she or a qualified representative has personally inspected the plan area on the ground.

(b) In order to temporarily suspend timber operations that are being conducted within special treatment areas adjacent to wild, scenic, or recreational rivers designated pursuant to Section 5093.54, while

judicial remedies are pursued pursuant to this section, an inspecting forest officer of the Department of Forestry and Fire Protection may issue a written timber operations stop order if, upon reasonable cause, the officer determines that a timber operation is being conducted, or is about to be conducted, in violation of Chapter 8 (commencing with Section 4511) of Part 2 of Division 4, or of rules and regulations adopted pursuant to those provisions, and that the violation or threatened violation would result in imminent and substantial damage to soil, water, or timber resources or to fish and wildlife habitat. A stop order shall apply only to those acts or omissions that are the proximate cause of the violation or that are reasonably foreseen would be the proximate cause of a violation. The stop order shall be effective immediately and throughout the next day.

(c) A supervising forest officer may, after an onsite investigation, extend a stop order issued pursuant to subdivision (b) for up to five days, excluding Saturday and Sunday, if the forest officer finds that the original stop order was issued upon reasonable cause. A stop order shall not be issued or extended for the same act or omission more than one time.

(d) Each stop order shall identify the specific act or omission that constitutes a violation or that, if foreseen, would constitute a violation, the specific timber operation that is to be stopped, and any corrective or mitigative actions that may be required.

(e) The Department of Forestry and Fire Protection may terminate the stop order if the timber operator enters into a written agreement with the department assuring that the timber operator will resume operations in compliance with the provisions of Chapter 8 (commencing with Section 4511) of Part 2 of Division 4, and with the rules and regulations adopted pursuant to those provisions, and will correct any violation. The department may require a reasonable cash deposit or bond payable to the department as a condition of compliance with the agreement.

(f) Notice of the issuance of a stop order or an extension of a stop order shall be deemed to have been made to all persons working on the timber operation when a copy of the written order is delivered to the person in charge of operations at the time that the order is issued or, if no persons are present at that time, by posting a copy of the order conspicuously on the yarder or log loading equipment at a currently active landing on the timber operations site. If no person is present at the site when the order is issued, the issuing forest officer shall deliver a copy of the order to the timber operator either in person or to the operator's address of record prior to the commencement of the next working day.

(g) As used in this section, "forest officer" means a registered professional forester employed by the Department of Forestry and Fire Protection in a civil service classification of forester II or higher grade.

(h) (1) Failure of the timber operator or an employee of the timber operator, after receiving notice pursuant to this section, to comply with a validly issued stop order is a violation of this section and is a misdemeanor punishable by a fine of not less than five hundred dollars ($500), or by imprisonment for not more than one year in the county jail, or both. The person shall also be subject to civil damages to the state not to exceed ten thousand dollars ($10,000) for each misdemeanor violation. However, in all cases, the timber operator, and not an employee of the operator or any other person, shall be charged with that violation. Each day or portion thereof that the violation continues shall constitute a new and separate offense.

(2) In determining the penalty for a timber operator guilty of violating a validly issued stop order, the court shall take into consideration all relevant circumstances, including, but not limited to, the following:

(A) The extent of harm to soil, water, or timber resources or to fish and wildlife habitat.

(B) Corrective action, if any, taken by the defendant.

(i) Nothing in this section prevents a timber operator from seeking an alternative writ as prescribed in Chapter 2 (commencing with Section 1084) of Title 1 of Part 3 of the Code of Civil Procedure, or as provided by any other provision of law.

(j) (1) If a timber operator believes that a forest officer lacked reasonable cause to issue or extend a stop order pursuant to this section, the timber operator may present a claim to the Department of General Services pursuant to Part 3 (commencing with Section 900) of Division 3.6 of Title 1 of the Government Code for compensation and damages resulting from the stopping of timber operations.

(2) If the Department of General Services finds that the forest officer lacked reasonable cause to issue or extend the stop order, the board shall award a sum of not less than one hundred dollars ($100), nor more than one thousand dollars ($1,000), per day for each day the order was in effect.

(Amended by Stats. 2016, Ch. 31, Sec. 270. Effective June 27, 2016.)

5093.69.

(a) The Resources Agency shall conduct studies specifically funded by the Legislature relative to the condition of the system and may make recommendations to the Legislature for protection and enhancement of the system.

(b) The director shall conduct studies specifically funded by the Legislature and shall make recommendations relating to all of the following:

(1) The restoration of salmon and steelhead habitat in the system, including measures that can be taken to increase spawning populations, and provide at least 100 miles of reopened spawning and nursery areas each year until the year 1990.

(2) Enforcement requirements necessary to protect the system from fish or wildlife degradation.

(3) Development of information or statistical data necessary to provide the most beneficial management of the fisheries included within the system.

(4) Legislative action deemed necessary to protect the fishery and wildlife values of the system.

(Added by Stats. 1982, Ch. 1481, Sec. 18.)

5093.70.

(a) The Legislature hereby finds and declares all of the following:

(1) Mill Creek and Deer Creek possess extraordinary resources in that they support one of the few remaining viable populations of wild spring-run chinook salmon in the Sacramento-San Joaquin River system. One essential component of the resources provided by these creeks is their exceptional water quality.

(2) Based on a review of comprehensive technical data, the Legislature has determined that potential beneficial uses must be balanced to achieve protection of the unique fishery resources and existing water rights of Mill Creek and Deer Creek in the manner specified in this section. In lieu of including Mill Creek and Deer Creek in the system, the continued management of stream resources in their existing natural condition consistent with the terms of this section represents the best way to protect the unique fishery of Mill Creek and Deer Creek. Maintaining the existing free flowing conditions of Mill Creek and Deer Creek to protect their fisheries is the highest and most beneficial use of the unappropriated waters of Mill Creek and Deer Creek within the segments designated in subdivisions (b) and (c), and is a reasonable use of water within the meaning of Section 2 of Article X of the California Constitution.

(b) No new dam, reservoir, diversion, or other water impoundment facility shall be constructed on Mill Creek from the headwaters of East Sulphur Creek within Section 15 T30N R4E to the United States Geological Survey gauging station in the northeast quarter of the northwest quarter of Section 6 T25N, R1W.

(c) No new dam, reservoir, diversion, or other water impoundment facility shall be constructed on Deer Creek from the headwaters in Section 11 T27N R5E to the United States Geological Survey gauging station in the northwest quarter of the northeast quarter of Section 23 T25N, R1W.

(d) Except for the maintenance of existing flood control facilities and projects by public agencies or private landowners or emergency flood control activities or repairs required due to acts of God, provided that those activities or projects do not interfere with the passage of migrating anadromous fish, no state agency shall assist or cooperate with, whether by loan, grant, license, or otherwise, any agency of the federal, state, or local government in the planning or construction of any dam, reservoir, diversion, or other water impoundment facility that could have an adverse effect on the free-flowing conditions of Mill Creek and Deer Creek, or on their wild runs of spring-run chinook salmon.

(e) All state agencies exercising powers under any other provision of law with respect to the protection and restoration of fishery resources shall continue to exercise those powers in a manner that protects and enhances the fishery of the segments designated in subdivisions (b) and (c). In carrying out this subdivision, any exercise of powers shall be consistent with Section 5093.58.

(f) Nothing in this section shall prejudice, alter, affect in any way, delay, or interfere with the implementation or construction of any fishery restoration or improvement project that is authorized, required, or recommended pursuant to the Central Valley Improvement Act (Public Law 102-575) or the Upper Sacramento River Fisheries and Riparian Habitat Management Plan developed pursuant to Chapter 885 of the Statutes of 1986, or of any other fishery restoration or improvement project.

(g) Nothing in this chapter shall prejudice, alter, affect in any way, delay, or interfere with existing water rights; implementation of those rights; historic water use practices; and replacement, maintenance, repair, or operation of diversions and diversion facilities; or changes in the purposes of use, places of use, points of diversion, or ownership of existing water rights, except that no change shall operate to increase the adverse effect, if any, of the preexisting diversion facility or place or purpose of use upon the free flowing and natural character of the stream.

(Added by Stats. 1995, Ch. 183, Sec. 4. Effective January 1, 1996.)

Brief History of the California Wild and Scenic Rivers Act

1972 – The California Wild and Scenic Rivers System (System) is established by Senator Peter Behr, the California Legislature, and Governor Ronald Reagan (SB 107-Behr). It includes portions of the Smith River and its tributaries, the Klamath River and its tributaries (including the Scott, Salmon, and Trinity Rivers), the Eel River, the Van Duzen River, and the lower and North Fork American Rivers.

1978 – The State-designated segment of the North Fork American River is added to the National Wild and Scenic Rivers System (National System) as a Sec. 3(a) river through an act of Congress.

1981 – Most of the State System is added to the National Wild & Scenic Rivers System as Sec. 2(a)(ii) rivers upon the request of Governor Jerry Brown and approval of Interior Secretary Cecil Andrus.

1982 – The California Legislature amends the State system, eliminating the mandate for management plans and defining the area protected (corridor) to the first line of riparian vegetation. Twelve Smith River tributaries (Dominie Creek, Rowdy Creek, South Fork Rowdy Creek, Savoy Creek, Little Mill Creek, Bummer Lake Creek, East Fork Mill Creek, West Branch Mill Creek, Rock Creek, Goose Creek, East Fork Goose Creek, and Mill Creek) are removed from the State System, but the dam prohibition is continued. Another Smith tributary, Hardscrabble Creek, is also removed from the System to allow mining of strategic metals (AB 2214-Bosco).

1987 – The State Act is amended to provide for studies of potential additions. Studies of the East Fork Carson, West Walker, and McCloud Rivers are initiated (AB 3101-Sher).

1989 – In response to studies and recommendations conducted by The Resources Agency, the East Fork Carson and West Walker Rivers (along with a short segment of Leavitt Creek, a tributary to the West Walker River) are added to the State System. Dams are prohibited on the McCloud River, but the McCloud River is not formally designated (AB 1200-Sher).

1990 – Portions of the Smith River upstream of the National Forest boundary were re-designated by the Congress as a Section 3(a) Federal river. Section 3(d) management plan to be accomplished by plans for accompanying National Recreation Area. (S. 2566, P.L. 101-612). The Smith River was one of the original State Wild and Scenic Rivers that was subsequently added as a Section 2(a)(ii) Federal Wild and Scenic River. The portion of the Smith River downstream of the National Forest Boundary remains a Section 2(a)(ii) National Wild and Scenic River.

1993 – The State Act is amended to designate Deer, Mill, Antelope, and Big Chico Creeks as potential additions to the System (AB 653-Sher). Antelope and Big Chico Creeks are later removed from the final bill. Studies are initiated on Deer and Mill Creeks.

1995 – In response to legislatively mandated studies, dams on portions of Deer and Mill creeks are prohibited, but the creeks are not formally designated (AB 1413-Sher).

1999 – The Legislature adds the South Fork Yuba River to the State System without study (SB 496-Sher).

2003 – Short segments of the Albion and Gualala Rivers are added to the State System by the Legislature without study in response to a proposal to divert large amounts of water for export to Southern California (AB 1168-Berg).

2004 – The Act is amended to require State and local agencies to protect the free-flowing character and extraordinary values of designated rivers and to clarify that Special Treatment Areas under the Forest Practices Rules are applied to rivers classified as "recreational" as well as those classified as "wild" or "scenic" (SB 904-Chesbro).

2005 – The Legislature adds a portion of Cache Creek to the State System without study (AB 1328-Wolk).

2015 – The Legislature passes legislation directing the Natural Resources Agency to study and make a recommendation by December 31, 2017 concerning adding five specific segments of the Mokelumne River to the State System (AB 142-Bigelow).

2018 (January) – The California Natural Resources Agency issues the Mokelumne River Wild and Scenic River Study Report (draft) to the public and stakeholders.

2018 (March) – The California Natural Resources Agency issues the Mokelumne River Wild and Scenic River Study Report (final) to the Legislature.

Appendix C. Reviewed Literature

Table C-1. Reviewed Literature

Electronic Folder and Author	Year	Title	Eligibility					Suitability		Other	Document Priority for Study	
			Fish	Wildlife	Recreation	Scenic	Other Rivers	Moke River	Other Rivers		Low	High
1a. Assembly Bill 142 Mokelumne River Legislation												
Legislative Counsel Bureau	2015	Assembly Bill 142						X		X		X
CNRA	2017a	CNRA Briefing on Assembly Bill 142						X		X		X
Sacramento State Center for Collaborative Policy	2015	Study of the Suitability of Mokelumne River as Wild and Scenic River of California						X				X
CNRA	2017b	Assembly Bill 142 Stakeholders								X	X	
Calaveras County Board of Supervisors	2015	Agenda Submittal						X			X	
California Legislature	Unknown	SB-1199 Wild and Scenic Rivers: Mokelumne River	X	X	X	X	X					X
CNRA	2017c	Request for Info to Prepare the Mokelumne River Wild and Scenic River Report								X	X	
Calaveras County Water District and Calaveras Public Utility District	2017	Response to a Request for Info to Prepare the Mokelumne River Wild and Scenic River Report										X
Calaveras County Water District	2017	Resolution No. 2017-59, A Resolution of the Board of Directors of the Calaveras County Water District – Approving the Calaveras County Mokelumne River Long-Term Water Needs Study										X
Calaveras Public Utility District	2017	Resolution No. 2017-9, A Resolution of the Board of Directors of Calaveras Public Utility District – Approving the Calaveras County Mokelumne River Long-Term Water Needs Study										X

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Electronic Folder and Author	Year	Title	Eligibility					Suitability		Other	Document Priority for Study	
			Fish	Wildlife	Recreation	Scenic	Other Rivers	Moke River	Other Rivers		Low	High
California Research Bureau	2018	Regulatory Impacts of Wild & Scenic Rivers Designation (Update to 2005 Wolk Memo)						X	X			X
1b. California Wild and Scenic Rivers Act												
California Legislative Information	2016	California Wild & Scenic Rivers Act					X		X	X		X
California Research Bureau	2018	Regulatory Impact of Wild & Scenic Rivers Designation (Update to 2005 Wolk Memo)						X	X	X		X
Unknown	2007	California Wild and Scenic River System and Management Agencies					X		X	X	X	
California Legislative Information	2017	Assembly Bill 975					X	X	X	X		X
California Legislative Counsel	1999	Opinion Request Wild and Scenic River Designation								X	X	
Interagency Wild and Scenic Rivers Coordinating Council	2004	Wild and Scenic Rivers Act: Section 7						X				X
Capital Press - Tim Hearden	2017	Assembly Bill 975 Bill Expanding Wild and Scenic Fails					X	X	X	X	X	
2a. California Wild and Scenic River Studies - Past												
The Resources Agency	1994	Deer Creek Wild and Scenic River Suitability Report					X		X			X
The Resources Agency	1994	Mill Creek Wild and Scenic River Suitability Report					X		X			X
The Resources Agency	1988	East Fork Carson River Wild and Scenic River Suitability Report					X		X			X
The Resources Agency	1988	McCloud River Wild and Scenic River Suitability Report					X		X			X

Table C-1. Reviewed Literature

Electronic Folder and Author	Year	Title	Eligibility					Suitability			Document Priority for Study	
			Fish	Wildlife	Recreation	Scenic	Other Rivers	Moke River	Other Rivers	Other	Low	High
The Resources Agency	1988	West Walker River Wild and Scenic River Suitability Report					X		X			X
2b. USDA Mokelumne River Wild and Scenic River Studies												
USDA-Forest Service	1990	Wild and Scenic River Study Report/EIS on the North Fork of the Mokelumne River	X	X	X	X		X				X
USDA-Forest Service	NA	Stanislaus National Forest Land and Resource Management Plan: Wild and Scenic River Eligibility/Suitability: Appendix E	X	X	X	X	X	X	X			X
USDA-Forest Service	1991	Stanislaus National Forest Land and Resource Management Plan ROD (covers Wild and Scenic Above Salt Springs only)						X			X	
USDA-Forest Service	NA	Sierra National Forest Land and Resource Management Plan: Wild and Scenic River Eligibility/Suitability Appendix E					X		X			X
USFS, Tahoe National Forest, Plumas National Forest	NA	ROD- Twenty-two Westside Rivers Wild and Scenic Study Report and Final EIS					X				X	
BLM	2007	Sierra Proposed Resource Management Plan and Final Environmental Impact Statement, Appendix E: Wild and Scenic River Eligibility and Suitability.	X	X	X	X		X				X
3a. Mokelumne River Maps												
CNRA	NA	Assembly Bill 142 Wild and Scenic Segment Boundaries Map								X	X	

Table C-1. Reviewed Literature

Electronic Folder and Author	Year	Title	Eligibility					Suitability		Other	Document Priority for Study	
			Fish	Wildlife	Recreation	Scenic	Other Rivers	Moke River	Other Rivers		Low	High
BLM	NA	BLM Sierra Resource Management Plan Maps								X	X	
BLM	NA	BLM Moke Federal Wild and Scenic River Map								X	X	
NA	NA	Moke Flow Diversion Map						X		X	X	
3b. Mokelumne River Specific Information												
Amador Water Agency	NA	Urban Water Management Plan Ch5: Various Water Supply Tables for Lake Camanche						X		X	X	
Amador Water Agency	2004	Second Amended Agreement Between Amador Water Agency and PG&E Company Concerning the Amador Water System Transmission Project						X		X	X	
ECORP Consulting Inc.	2017	Supplemental Information Document: Responses to Comments to Draft Calaveras County Mokelumne River Long-Term Water Needs Study						X				X
California EPA, SWRCB, Division of Water Rights	2001	Amendment of Permit 17579						X		X	X	
Amador Water Agency	2017	Recording of Long-Term Water Needs Presentation/Board Meeting						X		X		X
Amador Water Agency	2016	2015 Urban Water Management Plan						X				X
Amador Water Agency	2014	2010 Urban Water Management Plan Update						X		X	X	
California EPA, SWRCB, Division of Water Rights	2000	Application 5649B, Permit 12167						X		X	X	
Amador Water Agency	2017	Long-Term Water Needs and Supply Study Part 1						X				X

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Electronic Folder and Author	Year	Title	Eligibility					Suitability			Document Priority for Study	
			Fish	Wildlife	Recreation	Scenic	Other Rivers	Moke River	Other Rivers	Other	Low	High
Amador Water Agency	2017	Long-Term Water Needs and Supply Study Part 2						X				X
Amador Water Agency	2017	Long-Term Water Needs and Supply Study Part 3						X				X
Amador Water Agency	2017	Long-Term Water Needs and Supply Study Comments						X				X
Pacific Institute	2017	Review for Amador Water Agency's Long-Term Needs and Water Supply Study						X				X
Hoover, Thomas (JVID)	2013	AWA Water Rights Protest Dismissal Letter						X			X	
SWRCB	1960	JVID Water Rights Order Permit 12167						X			X	
SWRCB	2013	Email Response Regarding Application 5647XO3						X			X	
Enterprise Report	2014	Bill Introduced to Designate Section of Mokelumne as Wild and Scenic (news article)								X	X	
Board of Supervisors, County of Calaveras	2014	Resolution Supporting the Wild and Scenic Designation for the Mokelumne River			X	X		X				X
Enterprise Report	2014	Board Supports Wild and Scenic Status for Mokelumne River (news article)						X		X		X
Calaveras County Water District	2016	2015 Urban Water Management Plan						X				X
Peter Martin, Calaveras County Water District	2017	Response to a Request for Information to Prepare the Mokelumne River Wild and Scenic Suitability Report						X				X
ECORP Consulting Inc.	2017	CCWD Long-Term Water Needs Study PowerPoint						X				X

Table C-1. Reviewed Literature

Electronic Folder and Author	Year	Title	Eligibility					Suitability		Other	Document Priority for Study	
			Fish	Wildlife	Recreation	Scenic	Other Rivers	Moke River	Other Rivers		Low	High
Superior Court of California, County of Amador	1985	Amador County Water Agency VS. PG&E Stipulation and Agreement								X	X	
Hydropower Reform Coalition and River Management Society	2015	Mokelumne River Hydroelectric Project Summary								X	X	
Foothill Conservancy	2014	Authority for the Mokelumne River Table						X		X	X	
Foothill Conservancy	2017	Letter to CCWD on Calaveras Long-term Water Needs Study Draft						X				X
RMC Water and Environment	2006	Mokelumne/Amador/Calaveras IRWMP								X	X	
RMC Water and Environment	2007	Upper Mokelumne River Watershed Assessment and Planning Project								X	X	
Leslie Clithero, Department of Justice	2006	Response to a Request for Clarification of Federal Wild and Scenic River Act Provisions								X		X
Fred Springer, FERC	1993	FERC Response Letter to Amador County for Devil's Nose Project						X		X	X	
Entrix, Inc.	1998	Sizing and Siting Environmental Study for the Pardee Reservoir Enlargement Project Vol 1								X	X	
Stephen Boyd, EBMUD	2014	Verifying Reported Historical Natural Barriers to the Upstream Migration of Chinook Salmon and Steelhead in the Mokelumne River Watershed	X									X
Hanson, Ken	NA	Proposed Dam on Mokelumne Facing Hurdles (news article)						X		X	X	

Table C-1. Reviewed Literature

Electronic Folder and Author	Year	Title	Eligibility					Suitability		Other	Document Priority for Study	
			Fish	Wildlife	Recreation	Scenic	Other Rivers	Moke River	Other Rivers		Low	High
NA	1993-1997	Mokelumne Wild and Scenic Chronology - FS segments								X	X	
HDR and DTA	2012	2009/2010 Stream Geomorphology Monitoring (Mokelumne River Project)								X		X
San Joaquin County Historical Society	1966	Bulletin 3, Vol. 2: History of Mokelumne								X	X	
NA	NA	Mokelumne Hydroelectric Development								X	X	
HDR	2004	Mokelumne River Regional Water Storage and Conjunctive Use Project: Reconnaissance Study Summary Report						X			X	
CNRA	NA	Request for Information to Prepare the Mokelumne River Wild and Scenic River Report Required Under Assembly Bill 142								X	X	
RMC Water and Environment	2012	Comanche Area Regional Water Supply Plan: Technical Draft Memorandum								X	X	
The Nature Conservancy, Sierra Nevada Conservancy, USFS	2014	Mokelumne Watershed Avoided Cost Analysis: Why Sierra Fuel Treatments Make Economic Sense								X	X	
Woodhull, Chester (CDFG)	1946	A Preliminary Investigation of the Mokelumne River from Tiger Creek to Pardee Reservoir	X									X
Evans, Steve (FOR)	2014	Amador County's Response to S.B 1199 (Mokelumne wild and scenic)						X				X

Table C-1. Reviewed Literature

Electronic Folder and Author	Year	Title	Eligibility					Suitability		Other	Document Priority for Study	
			Fish	Wildlife	Recreation	Scenic	Other Rivers	Moke River	Other Rivers		Low	High
Jennings, Bill and Meral, Jerry, The Sacramento Bee	2014	Viewpoints: All Sides in Water Wars Should Get Behind Protecting Mokelumne River (news article)			X	X		X			X	
ECORP Consulting Inc.	2017	Calaveras County Mokelumne River Long-Term Water Needs Study						X				X
Upper Mokelumne Salmonid Restoration Team	2017	Reintroduction of Salmon into their Historic Habitat (PowerPoint)	X					X			X	
Infusino, Tom	2017	Response to CCWD for Long-Term Water Needs for the Mokelumne River (email)						X				X
Infusino, Tom	2017	Email to CCWD re: Meeting of 9/22/17 Discussing Mokelumne River Water Supply Options						X				X
U.S. Forest Service	2000	Mokelumne Wilderness Management Guidelines: Land and Resource Management Plan						X				X
Calaveras County Water District and Calaveras Public Utility District	2018	EBMUD Comments on Draft Calaveras County Mokelumne River Long-Term Water Needs Study dated Sept 2017						X			X	
3c. MokeWISE Program and Projects												
MokeWISE Program	2013-2015	Meeting Notes 1-20							X		X	
MokeWISE Program	2015	Lake Camanche Village Recycled Water Project SOW						X			X	
MokeWISE Program	2015	Barney Way Septic System Conversion						X			X	
MokeWISE Program	2015	Rehabilitation of Transmission Main						X			X	

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Electronic Folder and Author	Year	Title	Eligibility					Suitability		Other	Document Priority for Study	
			Fish	Wildlife	Recreation	Scenic	Other Rivers	Moke River	Other Rivers		Low	High
MokeWISE Program	2015	7f - Reliability and Replacement Assessment for Dams at Blue and Twin Lakes						X				X
MokeWISE Program	2015	7d - Re-operation of Existing Storage						X				X
MokeWISE Program	2015	7b - Raise Lower Bear Feasibility Study						X				X
MokeWISE Program	2015	7a - PG&E Reservoir Storage Recovery						X				X
MokeWISE Program	2015	Regional Urban Water Conservation Program						X			X	
MokeWISE Program	2015	North San Joaquin Water Conservation District Infrastructure Improvements						X			X	
MokeWISE Program	2015	Amador and Calaveras Counties Hydrologic Assessment						X			X	
MokeWISE Program	2015	Groundwater Banking within the Eastern San Joaquin Groundwater Basin						X			X	
MokeWISE Program	2015	Amador County Reuse						X			X	
MokeWISE Program	2015	Woodbridge Winery Wastewater Reuse						X			X	
MokeWISE Program	2015	Municipal Recycled Wastewater Recharge Program						X			X	
MokeWISE Program	2015	Mokelumne Water Quality, Soil Erosion, & Sedimentation Inventory/Monitoring						X			X	
MokeWISE Program	2015	Riparian Restoration Program - Below Camanche Reservoir						X				X

Table C-1. Reviewed Literature

Electronic Folder and Author	Year	Title	Eligibility					Suitability		Other	Document Priority for Study	
			Fish	Wildlife	Recreation	Scenic	Other Rivers	Moke River	Other Rivers		Low	High
MokeWISE Program	2015	Fish Screens for Riparian Diversions in the Lower Mokelumne River	X					X				X
MokeWISE Program	2015	Mokelumne River Day Use Area Floodplain Habitat Restoration Project	X	X	X	X		X				X
MokeWISE Program	2015	High Country Meadow Restoration Program							X	X	X	
MokeWISE Program	2015	Reintroduction of Fall-Run Chinook Salmon Upstream of Pardee Reservoir	X					X				X
MokeWISE Program	2015	Water Availability Analysis								X		X
MokeWISE Program	2014	Water Availability Analysis Methodology										X
MokeWISE Program	2014	Appendix F - Environmental Conditions Overview TM	X					X				X
MokeWISE Program	2014	Project Assessment								X	X	
MokeWISE Program	2014	Draft Public & DAC Outreach Plan								X	X	
MokeWISE Program	2013	Program Outcomes & Measures								X	X	
MokeWISE Program		Mokelumne Collaborative Group Charter								X	X	
MokeWISE Program	2013	Mokelumne Watershed Interregional Sustainability Evaluation Summary Report (MokeWise Program) Program								X	X	
MokeWISE Program	2015	Climate Change						X				X
RMC Water and Environment	2015	Mokelumne Watershed Interregional Sustainability Evaluation (MokeWISE Program) Final Report	X	X	X			X				X

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Electronic Folder and Author	Year	Title	Eligibility					Suitability		Other	Document Priority for Study	
			Fish	Wildlife	Recreation	Scenic	Other Rivers	Moke River	Other Rivers		Low	High
3d. PG&E and FERC Documents												
PG&E	2014	2014 Amphibian Surveys (Mokelumne River Project)		X								X
PG&E	2014	2014 Fish Population Monitoring Report	X									X
PG&E	2014	Water Temperature Monitoring Report	X								X	
PG&E	2015	Macroinvertebrate Population Monitoring Report		X							X	
PG&E	2015	Fish Population Monitoring Report	X									X
PG&E	2015	Water Quality Monitoring Report	X								X	
PG&E	2015	Water Temperature Monitoring Report	X								X	
PG&E	2016	10-year Summary Report Stream Ecology Monitoring Program Amphibian Monitoring		X							X	
PG&E	2016	10-year Summary Report Stream Ecology Monitoring Program Benthic Macroinvertebrate Monitoring		X							X	
PG&E	2016	10-year Summary Report Stream Ecology Monitoring Program Fish Population Monitoring	X									X
PG&E	2017	10-year Summary Report Stream Ecology Monitoring Program Stream Geomorphology Study								X	X	
PG&E	2017	Appendix A Revised Geomorphology Study Plan								X	X	

Table C-1. Reviewed Literature

Electronic Folder and Author	Year	Title	Eligibility					Suitability		Other	Document Priority for Study	
			Fish	Wildlife	Recreation	Scenic	Other Rivers	Moke River	Other Rivers		Low	High
PG&E	2017	Appendix H Baseline and 2009 and 2016 Photographs								X	X	
PG&E	2017	10-year Summary Report Stream Ecology Monitoring Program Riparian Vegetation Monitoring		X							X	
PG&E	2017	Appendix A Riparian Monitoring Plan - Comparison Site Selection						X			X	
PG&E	2017	10-year Summary Report Stream Ecology Monitoring Program Water Quality Monitoring Report								X		X
PG&E	2012	Block Water Rationale Report								X	X	
PG&E	2005	Appendix A: Discussion Topics and Initial Recommendations for Future Studies Related to Recreation Streamflows and Pulse Flows in Dry and Critically Dry Water Years (Mokelumne River Project)	X	X							X	
PG&E	2010	Stream Ecology Monitoring Program Annual Report & Five- Year Summary	X								X	
PG&E	2017	2016 Annual and 10-year Summary Report on the Mokelumne River Project	X									X
PG&E	2016	2015 Annual Report	X								X	
PG&E	2015	2014 Annual Report	X								X	
PG&E	2014	2013 Annual Report	X								X	
PG&E	2013	2012 Annual Report	X								X	
PG&E	2012	2011 Annual Report		X							X	
PG&E	2011	2010 Annual Report		X							X	

Table C-1. Reviewed Literature

Electronic Folder and Author	Year	Title	Eligibility					Suitability		Other	Document Priority for Study	
			Fish	Wildlife	Recreation	Scenic	Other Rivers	Moke River	Other Rivers		Low	High
PG&E	2009	2009 Annual Report	X	X							X	
PG&E	2008	2008 Annual Report	X	X							X	
PG&E	2007	2007 Annual Report	X	X							X	
PG&E	2006	2006 Annual Report	X	X							X	
PG&E	2005	2005 Annual Report	X	X							X	
PG&E	2004	2004 Annual Report	X	X							X	
PG&E	2003	2003 Annual Report	X	X							X	
PG&E	2012	Fish Population Monitoring Study Plan	X								X	
PG&E	2011	Riparian Vegetation Monitoring Study Plan								X	X	
PG&E	2011	Stream Geomorphology Monitoring Study Plan								X	X	
PG&E	2001	Amphibian Monitoring Study Plan		X							X	
PG&E	2017	Water Quality Monitoring Study Plan								X	X	
PG&E	2012	Macroinvertebrate Population Monitoring Study Plan		X							X	
PG&E et. al.	2000	Mokelumne Project 137 Relicensing Settlement Agreement 2000						X			X	
Podolak and Yarnell	2015	Adaptive Management in FERC Relicensing						X		X	X	
FERC	2001	PG&E Moke Project 137 License						X		X	X	
PG&E	2001	Mokelumne River Project: Rationale Report for the Mokelumne Relicensing Settlement Agreement	X	X	X	X		X				X

Table C-1. Reviewed Literature

Electronic Folder and Author	Year	Title	Eligibility					Suitability		Other	Document Priority for Study	
			Fish	Wildlife	Recreation	Scenic	Other Rivers	Moke River	Other Rivers		Low	High
FERC	1996	Draft EA for Hydropower License						X			X	
Amador County	1987	Application for License before FERC, Major Unconstructed Project	X	X	X	X		X				X
4. Effects of Wild and Scenic River Designation												
Friends of the River	2005	California Wild and Scenic Rivers Act					X		X			X
Foothill Conservancy	2013	Local Economic Benefits of Mokelumne River Designation						X			X	
Unknown	NA	Mokelumne Wild and Scenic & Local Water Supplies						X			X	
Friends of the River	2016	Merced River Fact Sheet #4							X		X	
Protect American River Canyons (PARC)	2012	The Potential Impacts of Wild and Scenic River Designation of a Segment of the North Fork American River							X		X	
Wendt, George	2015	For River-based Tourism, We Need to Have a River			X			X			X	
Yost, John	2009	Rafting the Upper Mokelumne			X						X	
Schneider, Anne	2005	Assembly Bill 1328 - Cache Creek Wild and Scenic Rivers Act Designation Letter							X		X	
Calaveras County Board of Supervisors	2014	Designation for the Mokelumne River - Transcript of Supervisor Comments						X				X
USBR	2011	SLWRI EIS Ch.25 Wild and Scenic River Considerations for McCloud River					X					X
Locke, Cathy; Thomas, Eric	2014	Various News Clippings								X	X	

Table C-1. Reviewed Literature

Electronic Folder and Author	Year	Title	Eligibility					Suitability		Other	Document Priority for Study	
			Fish	Wildlife	Recreation	Scenic	Other Rivers	Moke River	Other Rivers		Low	High
Pollak, Daniel California Research Bureau	2005	California Wild and Scenic Rivers Act (Wolk Report)							X			X
Utah State University	2008	Impacts of Wild and Scenic River Designation			X		X					X
Steven Evans for Friends of the River and Foothill Conservancy	2017	Extraordinary Recreational Values of the Mokelumne River			X	X						X
North Carolina State University	2002	Summary Results of WSR Economic Studies			X				X		X	
ECONorthwest	2009	Regional Economic Impacts of Recreation on the Wild and Scenic Rogue River			X				X		X	
USDA (Reeder and Brown)	2005	Recreation, Tourism, and Rural Well-Being			X						X	
Calaveras Enterprise	2014	Protecting the Mokelumne River is Good for the Economy			X						X	
Friends of the River	2007	Mendocino County Water Agency- Dos Rios Water Extraction Project (email)								X	X	
Bartkiewicz, Kronick, and Shanahan	2005	AB 1328- Water Right Issues							X			X
Bartkiewicz, Kronick, and Shanahan	2005	Response to AB 1328- Effect of Designation of Cache Creek under Wild and Scenic Rivers Act on Water Rights and Operations of Yolo County Flood Control and Water Conservation District							X			X
Multiple	2014	Miscellaneous Correspondence on Senate Bill 1199						X				X

Table C-1. Reviewed Literature

Electronic Folder and Author	Year	Title	Eligibility					Suitability		Other	Document Priority for Study	
			Fish	Wildlife	Recreation	Scenic	Other Rivers	Moke River	Other Rivers		Low	High
California State Water Resources Control Board	2018	California Code of Regulations, Title 23, Section 734. Applications Within the California Wild and Scenic Rivers System								X		X
Moore, Roger L., and Christos Siderelis	2002	Use and Economic Importance of the Chattooga River							X		X	
Moore, Roger L., and Christos Siderelis	2002	Use and Economic Importance of the West Branch Farmington River. Department of Parks							X		X	
U.S> National Park Service	2001	Economic Benefits of Conserved Rivers: An Annotated Bibliography							X		X	
5. Other Reports (Water Supply)												
CBIA	2015	Building Water Efficiency into Every Home in California							X	X	X	
SWRCB	2017	Water Supply Self Certifications							X	X		X
SWRCB	1998	SWRCB Fully Appropriated Streams							X	X		X
SWRCB	2015	Statutory Water Rights Law								X	X	
Pacific Institute	2017	A Community Guide for Evaluating Future Urban Water Demand						X				X
California Water Code	2016	Technical Reference for Water Storage Investment Program								X	X	
San Joaquin County	2011	Freeport Element of the American River Use Strategy, Phase I: Draft Feasibility Study								X	X	

Table C-1. Reviewed Literature

Electronic Folder and Author	Year	Title	Eligibility					Suitability		Other	Document Priority for Study	
			Fish	Wildlife	Recreation	Scenic	Other Rivers	Moke River	Other Rivers		Low	High
Northern California Water Association	2007	Land Use/Water Supply Analysis Guidebook, An Addendum to the Sacramento Valley Integrated Regional Water Management Plan								X	X	
Amador Water Agency	2017	Central Amador Water Project (CAWP) Water Right Application Environmental Impact Report						X				X
6. Climate Change												
NA	2012	Mokelumne/Amador/Calaveras IRWMP Update								X		X
Null et al.	2010	Hydrologic Response and Watershed Sensitivity to Climate Change in California's Sierra Nevada								X		X
U.S. Global Change Research Program	2017	Climate Science Special Report: Fourth National Climate Assessment								X		X
7. Other References												
U.S. Fish and Wildlife Service	2017	List of Threatened and Endangered Species that may Occur in your Proposed Project Location, and/or may be Affected by your Proposed Project	X	X								X
U.S. Fish and Wildlife Service	2017	Critical Habitat for Threatened and Endangered Species	X	X								X
U.S. Fish and Wildlife Service	2017	Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle *(Desmocerus californicus dimorphus)*		X							X	

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Electronic Folder and Author	Year	Title	Eligibility					Suitability		Other	Document Priority for Study	
			Fish	Wildlife	Recreation	Scenic	Other Rivers	Moke River	Other Rivers		Low	High
Mayer, K.E. and Laudenslayer, W.F.	1988	A Guide to Wildlife Habitats of California		X							X	
Boyd, S.	2014	Verifying Reported Historical and Natural Barriers to the Upstream Migration of Chinook Salmon	X								X	
California Department of Fish and Wildlife	2017	Mokelumne River, Amador and Calaveras Counties, 2013-2016 Angler Survey Box Analysis	X								X	
Childress, R. and M. Workman	2017	A Collaborative Effort to Develop a Pilot Project and Assess the Feasibility of Reintroducing Chinook Salmon above Pardee Reservoir on the Mokelumne River, CA	X								X	
Knapp, R.	1996	Non-native Trout in the Natural Lakes of the Sierra Nevada: An Analysis of their Distribution and Impacts on Native Aquatic Biota	X								X	
Knight, C. and R. Lusardi	2017	Reintroduction of Salmon into their Historic Habitats (Two-Part Session)	X								X	
Merz, J.E. and M.S. Saldate	2005	Lower Mokelumne River Fish Community Service	X								X	
Moyle, P.B.	2002	Inland Fishes of California	X								X	
California Department of Transportation	2017	State Scenic Highways				X					X	
BLM	1986	Visual Resource Inventory				X						X
U.S. Forest Service	1995	Landscape Aesthetics, A Handbook for Scenery Management				X					X	

Table C-1. Reviewed Literature

Electronic Folder and Author	Year	Title	Eligibility					Suitability			Document Priority for Study	
			Fish	Wildlife	Recreation	Scenic	Other Rivers	Moke River	Other Rivers	Other	Low	High
California Department of Fish and Wildlife	2010	Maps of State Game Refuges in California		X							X	
California Department of Fish and Wildlife	2017	2017 California Deer Hunt Zones		X							X	
California Department of Fish and Wildlife	2015	Wildlife Connectivity Across the Northern Sierra Nevada Foothills.		X		X						X
East Bay Municipal Utility District	2016	Trails of the Pardee and Camanche Watersheds			X						X	
Holbek, L. and C. Stanley	1988	A Guide to the Best Whitewater in the State of California			X						X	
Martin, Charles	1974	Sierra Whitewater, Sunnyvale: Fiddleneck			X						X	
Mokelumne Coast to Crest Trail	2017	Trail Map and Planning Documents			X						X	
Wirth Environmental Services	1985	Mokelumne River Project, Cultural Resources Evaluation Program			X						X	
U.S. Forest Service	2017	Eldorado National Forest Campground Information			X						X	
U.S. Forest Service	2017	Eldorado National Forest Off-Highway Vehicle Information			X						X	
Cooper, J.F.	2002	Garnet Hill Field Trip, Bay Area Mineralogists								X	X	
Wagner, D.L., C.W. Jennings, T.L. Bedrossian, and E.J. Bortugno	1981	Geologic Map of the Sacramento Quadrangle								X	X	
Amador County	2016	2016 Agricultural Crop and Livestock Report								X	X	
Amador County	2016	Amador County General Plan, Land Use and Economic Development Elements			X						X	

Table C-1. Reviewed Literature

Electronic Folder and Author	Year	Title	Eligibility					Suitability		Other	Document Priority for Study	
			Fish	Wildlife	Recreation	Scenic	Other Rivers	Moke River	Other Rivers		Low	High
U.S. Forest Service	1989	Eldorado National Forest Land and Resource Management Plan								X		X
U.S. Forest Service	2004	Sierra Nevada Forest Plan Amendment, Final Supplemental Environmental Impact Statement								X		X
U.S. Forest Service	2017	Amador-Calaveras Consensus Group Monitoring and Science Symposium Highlights		X							X	
Fogg, A.M., Z.L. Steel, and R.D. Burnett	2017	Avian Monitoring in the Freds and Power Fire Areas Final Report		X							X	
U.S. Forest Service	2017	Power Fire Reforestation Project, Draft Environmental Impact Statement		X							X	
U.S. Forest Service	2005	Power Fire Restoration, Final Environmental Impact Statement		X							X	
U.S. Forest Service	2016	Foothill Yellow-Legged Frog Conservation Assessment in California		X			X					X
Maniery, J.G. and D. Dutschke	1989	Northern Miwok at Big Bar: A Glimpse into the Lives of Pedro and Lily O'Connor			X						X	
Spencer, W.D., P. Beier, K. Penrod, K. Winters, C. Paulman, H. Rustigian-Romsos, J. Strittholt, M. Parisi, and A. Pettler	2010	California Essential Habitat Connectivity Project: A Strategy for Conserving a Connected California.		X			X				X	

Appendix D. Federal Energy Regulatory Commission No. 137: Protection, Mitigation, and Enhancement Measures Recommended to be Included in New Project License, Section 4(e) Conditions, and Other Mandatory License Conditions

Appendix A

Protection, Mitigation, and Enhancement Measures Recommended to be Included in New Project License, Section 4(e) Conditions, and Other Mandatory License Conditions

Section 1. Minimum Streamflows

The Licensee shall, beginning as early as reasonably practicable within 3 months after license issuance, maintain minimum streamflows in Bear River below Lower Bear River Reservoir Dam, Cole Creek below Bear River Tunnel Diversion, North Fork Mokelumne River below Salt Springs Reservoir Dam, North Fork Mokelumne River below Tiger Creek Afterbay Dam, North Fork Mokelumne River below Electra Diversion Dam, and Tiger Creek below Tiger Creek Regulator Dam as specified in the following minimum streamflow schedules. For compliance purposes, the point of measurement for each required minimum streamflow is described in the title to the minimum streamflow schedule for that particular stream reach. All specified streamflows are in cubic feet per second (cfs). The schedules specify minimum streamflows, by month and water year type, for each of the specified stream reaches (except those described under "Operation of Upper Lakes," Appendix A, Section 3).

The minimum streamflows specified in the schedules may be temporarily modified if required by equipment malfunction or operating emergencies reasonably beyond the control of the Licensee. If the streamflow is so modified, the Licensee shall provide Notice to FERC, FS, and the ERC as soon as possible, but no later than 10 days after such incident. The minimum streamflows specified may also be temporarily modified for short periods in non-emergency situations 5 days after Notice to the ERC and FERC, and upon approval of the FWS, CDFG, and as applicable, BLM and FS, for areas within their jurisdiction.

Where facility modification is required to maintain the specified minimum streamflows, the Licensee shall complete such modifications as soon as reasonably practicable and no later than 3 years after license issuance. Prior to such required facility modifications, the Licensee shall make a good faith effort to provide the specified minimum streamflows within the capabilities of the existing facilities. Facility modifications are anticipated to be needed at Lower Bear River Reservoir Dam, Salt Springs Reservoir Dam, Bear River Tunnel Diversion at Cole Creek, and Tiger Creek Afterbay Dam.

In order for the Licensee to adjust operations to meet the required minimum streamflows, the Licensee shall have a 3-year period after the license is issued or 3 years after completion of necessary facility modifications, whichever is later, in which daily mean streamflows may vary up to 10 percent below the amounts specified in the minimum streamflow schedules, provided that the average monthly streamflow in any given month

equals or exceeds the required minimum amount for the month. After the applicable period, the Licensee shall meet the minimum streamflow requirements specified in the minimum streamflow schedules.

Water Year Types. The minimum streamflow schedules have been separated into five water year types: Wet, Above Normal (AN), Below Normal (BN), Dry, and Critically Dry (CD). The Licensee shall determine water year type based on the predicted unimpaired inflow to Pardee Reservoir (Pardee) and spring forecasting information provided by the Licensee and the California Department of Water Resources snowpack forecasts each month from February through May. The water year types are defined as follows:

Wet = greater than or equal to 958,700 AF inflow to Pardee
AN = less than 958,700 AF but greater than or equal to 724,400 AF inflow to Pardee
BN = less than 724,400 AF but greater than or equal to 518,100 AF inflow to Pardee
Dry = less than 518,100 AF but greater than or equal to 376,100 AF inflow to Pardee
CD = less than 376,100 AF inflow to Pardee

Each February through May the Licensee shall make a monthly forecast of the water year type and operate for that month based on that forecast. The May forecast shall be used to establish the final water year type for the remaining months of the year until the next February, when forecasting shall begin again. Salt Springs Reservoir is expected to spill in Wet, AN, and BN years. Salt Springs Reservoir is not expected to spill in Dry and CD years. The Licensee shall provide Notice to FS, FERC, and the ERC of the final water year type determination within 30 days of making the determination.

Applicable adaptive management measures described in "Ecological Resources Adaptive Management Program," Appendix A, Section 6, may be applied to the minimum streamflows.

Bear River Below Lower Bear River Reservoir Dam

The Licensee shall maintain the minimum streamflow specified in the following schedule based on month and water year type. Streamflows of up to 20 cfs (or the future increased capacity of Licensee gage M49) shall be measured at USGS gage 11315900 (Licensee gage M49), about 200 feet downstream from Lower Bear River Reservoir Dam. Streamflows of greater than 20 cfs (or the future increased capacity of Licensee gage M49) shall be measured at USGS gage 11316000 (Licensee gage M32), about 3.75 miles downstream from Lower Bear River Reservoir Dam.

Bear River below Lower Bear River Reservoir Dam @ USGS 11315900 (M49) and/or 11316000 (M32)						
	Month	Minimum Streamflow by Water Year (cfs)				
		CD	DRY	BN	AN	WET
	OCT	4	4	4	6	6
	NOV	4	6	6	8	15
	DEC	4	6	8	10	15
	JAN	4	6	10	14	20
	FEB	6	8	10	14	20
	MAR	6	10	15	20	25
	APR	10	25	25	30	50
	MAY	8	20	40	70	110
	JUNE	6	8	20	40	70
	JULY	4	6	10	15	30
	AUG	4	4	6	6	15
	SEPT	4	4	4	6	6

Cole Creek Below Bear River Tunnel Diversion

The Licensee shall maintain the minimum streamflow specified in the following schedule based on month and water year type. Minimum streamflow shall be measured at USGS gage 11315030 (Licensee gage M52), located about 50 feet downstream from the diversion and 1.1 miles north of Salt Springs Reservoir Dam.

Cole Creek below Bear River Tunnel Diversion @ USGS 113145030 (M52)						
	Month	Minimum Streamflow by Water Year (cfs)				
		CD	DRY	BN	AN	WET
	OCT	2 NF	2 NF	4 NF	6 NF	6 NF
	NOV	2 NF	4 NF	4 NF	6 NF	12 NF
	DEC	2 NF	4 NF	6 NF	8 NF	12 NF
	JAN	2 NF	4 NF	8 NF	10 NF	15 NF
	FEB	2 NF	6 NF	8 NF	10 NF	15 NF
	MAR	4 NF	8 NF	10 NF	15 NF	20 NF
	APR	8 NF	15 NF	25 NF	30 NF	45 NF
	MAY	6 NF	14 NF	50 NF	70 NF	100 NF
	JUNE	4 NF	8 NF	15 NF	30 NF	60 NF
	JULY	2 NF	2 NF	6 NF	15 NF	25 NF
	AUG	2 NF	2 NF	4 NF	6 NF	10 NF
	SEPT	2 NF	2 NF	4 NF	6 NF	6 NF

North Fork Mokelumne River Below Salt Springs Reservoir Dam

The Licensee shall maintain the minimum streamflow specified in the following schedule based on month and water year type. Minimum streamflow shall be measured at USGS gage 11314500 (Licensee gage M11), located about 2,000 feet downstream from the dam.

North Fork Mokelumne River below Salt Springs Reservoir Dam @ USGS 11314500 (M11)						
	Month	Minimum Streamflow by Water Year (cfs)				
		CD	DRY	BN	AN	WET
	OCT	15	20	20	20	20
	NOV	20	20	20	20	43
	DEC	20	20	25	30	43
	JAN	20	25	40	50	75
	FEB	25	30	40	50	110
	MAR	30	40	70	90	135
	APR	40	60	110	170	375
	MAY	60	70	210	430	930
	JUNE	40	40	160	230	720
	JULY	20	20	30	30	145
	AUG	15	20	20	20	20
	SEPT	15	20	20	20	20

North Fork Mokelumne River Below Tiger Afterbay Dam

The Licensee shall maintain the minimum streamflow specified in the following schedule based on month and water year type. Minimum streamflow shall be measured at USGS gage 11316670 (Licensee gage M59), located about 800 feet downstream from the dam.

North Fork Mokelumne River below Tiger Afterbay Dam @ USGS 11316670 (M59)						
	Month	Minimum Streamflow by Water Year (cfs)				
		CD	DRY	BN	AN	WET
	OCT	15	20	20	20	20
	NOV	20	20	25	20	50
	DEC	20	20	30	40	50
	JAN	20	25	40	60	90
	FEB	25	30	40	60	120
	MAR	30	50	80	110	150
	APR	40	80	135	190	400
	MAY	60	95	250	490	980
	JUNE	40	50	180	270	850
	JULY	20	20	35	40	145
	AUG	15	20	20	20	30
	SEPT	15	20	20	20	20

North Fork Mokelumne River Below Electra Diversion Dam

The Licensee shall maintain the minimum streamflow specified in the following schedule based on month and water year type. Minimum streamflow shall be measured at USGS gage 11316700 (License gage M46), located about 800 feet downstream from the dam.

North Fork Mokelumne River below Electra Diversion Dam @ USGS 11316700 (M46)						
	Month	Minimum Streamflow by Water Year (cfs)				
		CD	DRY	BN	AN	WET
	OCT	15	20	20	20	20
	NOV	20	20	25	20	50
	DEC	20	20	30	40	50
	JAN	20	25	40	60	90
	FEB	25	30	40	60	120
	MAR	30	50	80	110	150
	APR	40	80	135	190	400
	MAY	60	95	250	490	980
	JUNE	40	50	180	270	850
	JULY	20	20	35	40	145
	AUG	15	20	20	20	30
	SEPT	15	20	20	20	20

Tiger Creek Below Tiger Creek Regulator Dam

The Licensee shall maintain the minimum streamflow specified in the following schedule based on month and water year type. Minimum streamflow shall be measured at Licensee gage M76 located about 100 feet downstream from the Tiger Creek Regulator Dam.

Tiger Creek below Tiger Creek Regulator Dam @ M76						
	Month	Minimum Streamflow by Water Year (cfs)				
		CD	DRY	BN	AN	WET
	OCT	3	3	3	3	3
	NOV	5	5	5	5	5
	DEC	5	5	5	5	5
	JAN	7	7	7	7	7
	FEB	7	7	7	7	7
	MAR	10	10	10	10	10
	APR	10	10	10	10	10
	MAY	7	7	7	7	7
	JUNE	5	5	5	5	5
	JULY	5	5	5	5	5
	AUG	3	3	3	3	3
	SEPT	3	3	3	3	3

Section 2. Pulse Flows

General

The Licensee shall, beginning as early as reasonably practicable within 3 months after license issuance but not prior to the implementation of the new minimum streamflows, provide annual pulse flow events in Bear River below Lower Bear River Reservoir Dam, Cole Creek below Bear River Tunnel Diversion, North Fork Mokelumne River below Salt Springs Reservoir Dam, North Fork Mokelumne River below Tiger Creek Afterbay Dam, North Fork Mokelumne River below Electra Diversion Dam, and Tiger Creek below Tiger Creek Regulator Dam as specified in the following pulse flow schedule by water year type. For compliance purposes, the point of measurement for each required pulse flow is included in the pulse flow schedule. All specified pulse flows are in cubic feet per second (cfs).

The pulse flows specified in the following schedule may be temporarily modified if required by equipment malfunction or operating emergencies reasonably beyond the control of the Licensee. If a pulse flow is so modified, the Licensee shall provide Notice to FERC, FS, and the ERC as soon as possible but no later than 10 days after such incident. The pulse flows specified may also be temporarily modified for short periods in non-emergency situations 5 days after Notice to the ERC and FERC, and upon approval of the FWS, CDFG, and as applicable, BLM and FS, for areas within their jurisdiction.

Where facility modification is required to provide the specified pulse flows, the Licensee shall make such modifications as soon as reasonably practicable and no later than 3 years after license issuance. Prior to such required facility modifications, the Licensee shall make a good faith effort to provide the specified pulse flows within the capabilities of the existing facilities.

		Pulse Flow by Water Year (cfs)					
Reach	**Gage**	**CD**	**Dry**	**BN**	**AN**	**Wet**	**Duration and Timing**
Bear River below Lower Bear River Reservoir Dam	11316000 (M32)	0	300	570	700	Spill	5-day continuous pulse between March 1 and June 30
Cole Creek below Bear River Tunnel Diversion	11315000 (M10)	NA	NA	NF	NF	NF	5 continuous days of no diversion between March 1 and June 30, triggered by a 600 cfs instantaneous peak streamflow
North Fork Mokelumne River below Salt Springs Reservoir Dam	11314500 (M11)	0	500	1100	1800	Spill	5-day continuous pulse between March 1 and June 30
North Fork Mokelumne River below Tiger Afterbay Dam	11316670 (M59)	0	500	1100	1800	Spill	Pass pulse flows unchanged from upstream reach
North Fork Mokelumne River below Electra Diversion Dam	11316700 (M46)	0	500	1100	1800	Spill	Pass pulse flows unchanged from upstream reach
Tiger Creek below Tiger Creek Regulator Dam	N/A M76	35	35	35	35	35	48-hour continuous flow released in February and March

Source, Timing, and Duration of Pulse Flows

NFMR and Bear River Reaches. The continuous 5-day pulse flow events may originate from one of three sources: (a) pulses may be entirely composed of water released from Salt Springs and Lower Bear River reservoirs, (b) pulses may be composed of spill water supplemented with water released from the Salt Springs and Lower Bear River reservoirs, and (c) pulses may be composed entirely of spill water. In BN, AN, and Wet years where spill is forecasted based on the water year types, spill augmented as necessary by water releases shall be used to meet the pulse flow requirements. In Dry years, the pulse flow shall be timed to match the time of peak inflow into Salt Springs and Lower Bear River reservoirs. The Licensee shall use USGS gage 11315000 (Licensee gage M10) on Cole Creek, in combination with inflow information estimated by reservoir storage changes and runoff prediction tools to time the initiation of pulse flow events. Pulse flow events in Dry years shall be timed to begin near the end of the ascending limb of the snowmelt hydrograph, before the peak is forecasted to occur, based on weather and other factors, and end with a ramp down to the minimum streamflow as specified in the minimum streamflow schedules. Ideally, the end of the 5-day pulse flow event in Dry years shall occur as reservoir inflow and snowmelt runoff peaks and begins to decline. Pulse flow event releases from each of the two reservoirs shall start and stop at approximately the same time. In all water year types, if all other pulse flow requirements are met,

consideration shall be given to timing pulse flows to occur over a weekend during the whitewater boating season.

Cole Creek Below Bear River Tunnel Diversion. The Licensee shall, based on storm forecasts or by combining forecasted storm runoff and periods with increasing snowmelt runoff, between March 1 and June 30 in BN, AN, and Wet years, allow one continuous 5-day (120-hour) pulse flow event to bypass the Bear River Tunnel Diversion on Cole Creek. The bypass shall be conducted in a manner to transport mobilized stream bedload through the 36" sluice gate and over the diversion dam to the extent possible. The pulse flow event requirement shall be deemed achieved only if the 15-minute flow record at USGS gage 11315000 (Licensee gage M10) indicates that the streamflow reached at least 600 cfs and the bypass, as measured at USGS gage 11315030 (Licensee gage M42) continued and was unimpaired for at least 120 hours after the 600 cfs or greater instantaneous flow was recorded.

Tiger Creek Below Tiger Creek Regulator Dam. The Licensee shall provide a continuous 48-hour pulse flow event of 35 cfs in Tiger Creek below Tiger Creek Regulator Dam in each of February and March in all water year types.

Interruption of Pulse Flows. If the pulse flow event falls below the target pulse flow for less than 24 hours, the Licensee may extend the event to compensate for the time that the streamflow was not at least at the target pulse flow. If a spill event occurs and produces some but not all of the a pulse flow event, the Licensee shall extend the duration of the event to achieve the pulse flow objective or attempt the event again before the snowmelt hydrograph begins to decline.

Deferral of Pulse Flows Due to Water Temperature. If water temperatures between Salt Springs Reservoir Dam and Electra Diversion Dam rise above 9° C mean daily temperature for a 7-day running average at USGS gage 11316600 (Licensee gage M38), the Licensee shall defer the pulse flow event in the NFMR unless the ERC determines, with approval from FS, that such event is compatible with protection of foothill yellow-legged frogs (*Rana boylii*) and other biological resources. The Licensee shall provide Notice to FERC, FS, and the ERC within 10 days of determining that the above temperature trigger has been met, causing deferral of the pulse flow event. The Licensee shall provide Notice to FERC if the ERC determines through monitoring and FS approves, for areas within its jurisdiction, a modification to the water temperature trigger.

Ramping Rates for Pulse Flows

When ramping up and down for pulse flows, the Licensee shall follow the winter/spring ramping rate that is applicable to each reach (refer to "Ramping Rates," Appendix A, Section 5). If spills provide the pulse flow, then the ramping rate does not apply, since the rate of change of spill flow is not controlled by the Licensee.

Applicable adaptive management measures described in "Ecological Resources Adaptive Management Program," Appendix A, Section 6, may be applied to the pulse flow events.

Section 3. Operation of Upper Lakes

The Licensee shall, beginning as early as reasonably practicable within 3 months after license issuance, operate the upper lakes as described below.

The operations described below may be temporarily modified if required by equipment malfunction or operating emergencies reasonably beyond the control of the Licensee. If the described operations are so modified, the Licensee shall provide Notice to FERC, FS, and the ERC as soon as possible but no later than 10 days after such incident. The described operations may also be temporarily modified for short periods in non-emergency situations 5 days after Notice to the ERC and FERC, and upon approval of the FWS, CDFG, and as applicable, BLM and FS, for areas within their jurisdiction.

Adaptive management measures described in "Ecological Resources Adaptive Management Program," Appendix A, Section 6, may be applied to Operations of Upper Lakes.

Upper Blue Lake

The Licensee shall release from Upper Blue Lake Dam a winter streamflow of at least 2 cfs or NF into Upper Blue Lake, whichever is less, from October 1 to May 1.

The Licensee shall release from Upper Blue Lake Dam a spring streamflow of at least 5 cfs from May 1 until up to 5 days after Salt Springs Reservoir has stopped spilling (or stopped filling, in non-spill years), but no later than July 30. At that time, the Licensee shall release from Upper Blue Lake Dam the following early summer target streamflows, by water year type, for at least 5 consecutive days and not longer than 14 consecutive days based on operator availability:

20 cfs in CD and Dry years
40 cfs in BN and AN years
60 cfs in Wet years

If spill occurs at Upper Blue Lake Dam and the resulting streamflow exceeds these target streamflows and some or all of the durations, this spill flow may be used to meet all or a portion of the target streamflow requirement. Any portion of the target streamflows not met through spill shall be released by the Licensee such that the above requirements are met.

After the early summer target streamflows are complete, the Licensee shall determine the subsequent release rates by calculating the difference between the fall target pool level of 2,000 AF and the sum of the actual storage on July 1 and any expected inflows. This amount shall be apportioned equally and released among the remaining months until October 1 or until the fall target pool level is reached, whichever occurs first. Once this point is reached, the Licensee shall resume the required winter streamflow release of at least 2 cfs or NF, whichever is less.

The early summer streamflows described above are target values. The Licensee shall annually, by June 30, consult with the ERC to determine the subsequent release rates for that year; these release rates are subject to approval by FS. The release rate shall be based on annual reservoir conditions and results of the stream ecology monitoring plan described in Appendix A, Section 6. The Licensee shall report any changes in the described release rates to FERC within 30 days of a decision by the ERC and approval by FS.

Lower Blue Lake

The Licensee shall release from Lower Blue Lake Dam a winter streamflow of at least 2 cfs or inflow to Lower Blue Lake, whichever is less, from December 1 to May 1. The winter streamflow release may begin earlier if the onset of winter prevents access for further regulation (but no earlier than November 1).

The Licensee shall release from Lower Blue Lake Dam a spring streamflow of at least 5 cfs from May 1 until up to 5 days after Salt Springs Reservoir has stopped spilling (or stopped filling, in non-spill years), but no later than July 30. At that time, the Licensee shall release from Lower Blue Lake Dam the following early summer target streamflows, by water year type, for at least 5 consecutive days and not longer than 14 consecutive days based on operator availability:

20 cfs in CD and Dry years
40 cfs in BN and AN years
60 cfs in Wet years

If spill occurs at Lower Blue Lake Dam and the resulting streamflow exceeds these target streamflows and some or all of the durations, this spill flow may be used to meet all or a portion of the target streamflow requirement. Any portion of the target streamflows not met through spill shall be released by the Licensee such that the above requirements are met.

After the early summer target streamflows are complete, the Licensee shall determine the subsequent release rates by calculating the difference between the fall target pool level of 1,500 AF and the sum of the actual storage on July 1 and expected inflows from Upper Blue Lake. This amount shall be apportioned equally and released among the remaining months until December 1 or until the fall target pool level is reached, whichever occurs

first. Once this point is reached, the Licensee shall resume the required winter streamflow release of at least 2 cfs or inflow, whichever is less. To meet the objective of mimicking the natural hydrograph, in July and August, at least 80 percent of the streamflow released from Lower Blue Lake shall be inflow from Upper Blue Lake; the balance of the streamflow shall be from Lower Blue Lake storage. In September, October, and November, most of the streamflow released shall be from Lower Blue Lake storage. The streamflow release can be reduced by the ERC and FS during the July through November period, but shall not be increased greater than 10 percent of the target streamflow.

The early summer streamflows described above are target values. The Licensee shall annually, by June 30, consult with the ERC to determine the release rates for that year; these release rates are subject to approval by FS. The release rates shall be based on annual reservoir conditions and results of the stream ecology monitoring plan described in Appendix A, Section 6. The Licensee shall report any changes in the described release rates to FERC within 30 days of the decision by the ERC and approval by FS.

Twin Lake

The Licensee shall release 1 cfs, or inflow to Twin Lake, whichever is less, from Twin Lake to Meadow Lake year-round.

Meadow Lake

The Licensee shall release from Meadow Lake Dam a winter streamflow of at least 2 cfs or inflow to Meadow Lake, whichever is less, from November 1 to May 1.

The Licensee shall release from Meadow Lake a spring streamflow release of at least 5 cfs from May 1 until up to 5 days after Salt Springs Reservoir has stopped spilling (or stopped filling, in non-spill years), but no later than July 30. At that time, the Licensee shall release from Meadow Lake Dam the following early summer target streamflows, by water year type, for at least 5 consecutive days and not longer than 14 consecutive days based on operator availability:

20 cfs in CD and Dry years
40 cfs in BN and AN years
60 cfs in Wet years

If spill occurs at Meadow Lake Dam and the resulting streamflow exceeds these target streamflows and some or all of the durations, this spill flow may be used to meet all or a portion of the target streamflow requirement. Any portion of the target streamflows not met through spill shall be released by the Licensee such that the above requirements are met.

After the early summer target streamflows are complete, the Licensee shall determine the subsequent release rates by calculating the difference between the minimum possible residual pool level and the sum of the actual storage on July 1 and expected inflows. This amount shall be apportioned equally and released among the remaining months until November 1. The streamflow release can be reduced by the ERC and FS during the July through November period but shall not be increased greater than 10 percent of the target streamflow.

The early summer streamflows described above are target values. The Licensee shall annually, by June 30, consult with the ERC to determine the release rates for that year; these release rates are subject to approval by FS. The release rate shall be based on annual reservoir conditions and results of the stream ecology monitoring plan described in Appendix A, Section 6. The Licensee shall report any changes in the described release rates to FERC within 30 days of the decision by the ERC and approval by FS.

Section 4. Limitation on Short-term Power Generation Water Releases to NFMR During Summer

The Licensee shall, beginning as early as reasonably practicable within 3 months after license issuance, limit short-term water release events for power generation purposes, which would increase summer streamflow in the NFMR between Salt Springs Reservoir Dam and Electra Diversion Dam as follows:

(a) Such water release events shall not exceed 250 cfs in BN, AN, and Wet years and shall not exceed 125 cfs in Dry years. Such water release events shall not occur in CD years.

(b) Such water release events shall not occur more than 4 times from the time Salt Springs Reservoir stops spilling through October 31, or in a year when Salt Springs Reservoir does not spill, from July 1 through October 31.

(c) The June 16 to October 31 ramping rates shall apply.

(d) The minimum streamflow shall be maintained at 10 cfs above the specified minimum streamflow for 5 days after the water release event ends, unless the ERC and FS specify less than 10 cfs .

(e) The Licensee shall monitor, at its own expense, a total of six such water release events over a 5-year period, beginning as early as year 2000, for adverse environmental impacts. The monitoring methods and timing shall be determined by the ERC and approved by FS. If the ERC or FS determine that additional monitoring is necessary, the Licensee shall monitor up to six additional water release events within the 5-year period or thereafter.

(f) If the ERC or FS determine that substantial adverse environmental impacts are occurring as a result of such water release events, the Licensee shall develop in consultation with the ERC and FS and, upon approval of the ERC and FS, shall implement effective mitigation measures, up to and including cessation of such water release events, to mitigate such impacts.

This limitation applies from the time Salt Springs Reservoir stops spilling through October 31, or in a year when Salt Springs Reservoir does not spill, from July 1 through October 31.

This limitation does not apply to sustained water release events for power generation purposes, provided that such sustained water release events do not involve increasing the streamflow otherwise existing at the beginning of the sustained water release event. This limitation also does not apply to water release events in response to equipment failure, forced canal outages of more than 1 week in duration, or legal, regulatory, or existing contractual requirements. In the event such equipment failures or canal outages occur, the Licensee shall, within 5 days, provide Notice to FERC, the ERC and FS, and consult with responsive members of the ERC and FS to develop appropriate mitigation measures.

Section 5. Ramping Rates

The Licensee shall, beginning as early as reasonably practicable within 3 months after license issuance, use the following ramping rates for all Licensee-controlled streamflow releases upstream of Electra Powerhouse:

Ramping Rates

North Fork Mokelumne River*	**Ramp Up**	**Ramp Down**
Nov. 1 to June 15: (or after spill stops if later than June 15)	25%/hr (10 cfs/hr minimum step)	20%/hr, Flow > 300 cfs 25 cfs/hr, Flow < 300 cfs
June 16 to Oct 31: (or after spill stops if later than June 16)	25 cfs/hr	If Flow < 250 cfs, 50%/day of difference between initial flow and target flow, 4 steps/day, minimum of 25 cfs/step. If Flow > 250 cfs, 25%/day of difference between initial flow and target flow, 4 steps/day, minimum of 25 cfs/step
Bear River below Lower Bear River Reservoir	**Ramp Up**	**Ramp Down**
Nov. 1 to May 31: (or after spill stops if later than May 31)	25%/hr (10 cfs/hr minimum step)	20%/hr, Flow > 300 cfs 25 cfs/hr, Flow < 300 cfs
June 1 to Oct 31: (or after spill stops if later than June 1)	25 cfs/hr	50%/day of difference between initial flow and target flow, 4 steps/day, minimum of 25 cfs/step
Cole Creek below Bear River Tunnel Diversion	**Ramp Up**	**Ramp Down**
Nov. 1 to May 31:	50%/hr (5 cfs/hr minimum step)	20%/hr, Flow > 200 cfs 25 cfs/hr, Flow < 200 cfs
June 1 to Oct 31:	25 cfs/hr	50%/day of difference between initial flow and target flow, 4 steps/day, minimum of 10 cfs/step
Blue and Meadow Creeks	**Ramp Up**	**Ramp Down**
Nov. 1 to May 31:	25%/hr (5 cfs/hr minimum step)	10 cfs/hr
June 1 to Oct. 31:	15 cfs/hr	5 cfs/hr
Tiger Creek below Tiger Creek Regulator Dam	**Ramp Up**	**Ramp Down**
Nov. 1 to May 31:	5 cfs/hr	5 cfs/hr
June 1 to Oct. 31:	5 cfs/hr	2 cfs/hr

*Includes North Fork Mokelumne River below Salt Springs Reservoir Dam, North Fork Mokelumne River below Tiger Creek Afterbay Dam, and North Fork Mokelumne River below Electra Diversion Dam and upstream of Electra Powerhouse.

Ramping rates defined as a percent/hour (e.g., 25%/hour) shall change by that percent in each hour, up or down. The percent shall be applied to the current hour streamflow value to get the next hour streamflow value of a ramping progression. For example, if a

25%/hour ramp up rate was applied to a starting streamflow of 40 cfs, the second hour value would be 50 cfs, the third hour value would be 62 cfs, and so forth.

Where facility modification is required to provide the specified ramping rates, the Licensee shall complete such modifications as soon as reasonably practicable and no later than 3 years after license issuance. Prior to such required facility modifications, the Licensee shall make a good faith effort to provide the specified ramping rates within the capabilities of the existing facilities. Facility modifications are anticipated to be needed at Lower Bear River Reservoir Dam, Salt Springs Reservoir Dam, Bear River Tunnel Diversion at Cole Creek, and Tiger Creek Afterbay Dam.

In order for the Licensee to adjust operations to meet the required ramping rates, the Licensee shall have a 3-year period after issuance of the license or 3 years after completion of necessary facility modifications, whichever is later, in which variations shall be allowed in these rates. During this adjustment period, the Licensee shall demonstrate compliance with the appropriate ramping rate by having the majority of the hourly flow changes within the allowable variability range. The variability range is defined as a 10% range for the hourly ramping rates that are based on a percentage (e.g., the allowable range for a 25%/hour target rate is 15%/hour to 35%/hour), and a 40% range for the ramping rates that are changed based on cfs (e.g., the allowable range for a 25 cfs per hour target rate is 15 to 35 cfs per hour). After the adjustment period, the Licensee shall develop a ramping rate variability plan in coordination with the ERC and approved by FS, for areas within its jurisdiction, that establishes the allowable variability around the target ramping rates. The final plan shall be submitted to FERC.

The Licensee shall make available to the ERC and FS the streamflow records related to ramping upon request.

The Licensee shall be excused from complying with the ramping rate requirements in the event of law enforcement or search and rescue activities, regulatory compliance, or equipment malfunction or failure that is directly related to providing the specified ramping rates. The Licensee shall provide Notice to the ERC, FERC, and FS, for areas within its jurisdiction, within 10 days after such an event occurs.

Section 6. Ecological Resources Adaptive Management Program

The Licensee shall, beginning as early as reasonably practicable within 3 months after license issuance, implement an ecological resources adaptive management program as described below. The program generally consists of: (a) formation of an Ecological Resources Committee (ERC), (b) implementation of a stream ecology monitoring program, (c) specific adaptive management measures that shall be implemented if the ERC determines through the monitoring program and other scientific information that the applicable ecological resource objectives described in the Settlement will likely not be met without adjustment of the initial streamflows and other initial PM&E measures, and (d) a Protection, Mitigation, and Enhancement Fund that is available to address other items.

The ecological resources adaptive management program provides for an initial set of minimum streamflows and pulse flows to be implemented for a 5-year period, followed by two successive 5-year periods with potentially modified streamflow regimes, and potentially modified streamflow regimes thereafter, within the ranges provided in Appendix A. The exception to this 5-year implementation schedule is the potential release of additional water for water temperature control, which shall be available upon implementation of the initial minimum streamflows. Monitoring shall be conducted during each of these periods to determine if the applicable ecological resource objectives described in the Settlement are achievable and being met. Analysis of the monitoring results from a given 5-year period shall be used to determine any needed changes in streamflow for the next 5-year periods and thereafter, within the ranges provided in Appendix A, or implementation of other adaptive management measures. Adaptive management decisions shall be based on monitoring results and other scientific information and a determination by the ERC and FS, for areas within its jurisdiction, that the applicable ecological resource objectives described in the Settlement will likely not be met without application of the adaptive management measures.

The adaptive management program allows for streamflow adjustments to be made after each 5-year monitoring period. It is the intent of the adaptive management program to maintain consistent streamflow regimes during each 5-year period for the purposes of scientific study under the ecological resources monitoring program described in Appendix A, Section 6. However, adjustments in streamflow during any 5-year period are allowed based on monitoring or other scientific information if the ERC and the FS, for areas within its jurisdiction, determine that more frequent streamflow adjustments are necessary with the goal of meeting the applicable resource objectives described in the Settlement. In addition, streamflow adjustments may be made for purposes of temperature control at any time, as described in the preceding paragraph.

For purposes of the ecological resources adaptive management program, each year is defined on a calendar year basis (i.e., January through December). Year 1 is defined as the first year during which the initial minimum streamflows required by the license are implemented by May 1. For example, if the initial minimum streamflows are

implemented for the first time in April, that year is defined as year 1. If, however, the initial minimum streamflows are implemented for the first time in June, then the following calendar year is defined as year 1.

Ecological Resources Committee

The Licensee shall, within 3 months of license issuance, in coordination with the Parties, establish the ERC for the purpose of assisting the Licensee in the design of monitoring plans, review and evaluation of data, and preparation of adaptive management measures for implementation by the Licensee as provided in the Settlement. The Licensee shall provide to FERC, FS, and the ERC by May 31 of each year an annual report of the activities of the ERC. The Licensee shall provide Notice to FERC within 30 days (but prior to implementing the change) of any decisions by the ERC or FS that result in changes to Project operations.

Stream Ecology Monitoring Program

The Licensee shall, within 3 months of license issuance, implement a stream ecology monitoring program developed in coordination with the ERC and FS.

Adaptive Management Measures

Adaptive Management Associated with Upper Lakes Operations

In each AN and Wet water year, the Licensee shall, upon decision of the ERC and approval by FS, increase the fall target pools for that year by allocating some (or all) of a 1,500 acre-foot Block of Water to the fall target pools of Upper and Lower Blue lakes. The sum of the allocations to Upper and Lower Blue lakes fall target pools shall not exceed 1,500 acre-feet. This amount of water is available only in a single AN or Wet water year, with no carry-over of any unused amounts to subsequent years. In the year after the ERC, with approval from FS, has increased the fall target pools, the fall target pool requirement reverts back to the initial fall target pools if the year is not a AN or Wet year, or if the new year is a AN or Wet year but the ERC and FS do not decide to increase the fall target pools for that year.

Adaptive Management Associated with Minimum Streamflows

Each year, the Licensee shall, upon decision of the ERC and approval of FS, for areas within it jurisdiction, release additional water up to the Block of Water amounts specified in the following tables, to increase the initial minimum streamflows. All figures are displayed in cubic feet per second (cfs) and acre-feet (AF). The amount of additional water the ERC chooses and FS approves, for areas within its jurisdiction, to be utilized in a given year shall be released over a minimum of 3 months, with no more than 50 percent of the total amount released in any 1 month. The Block of Water specified in the tables

for a given water year shall be available only within that year without carry-over of any unused amounts to subsequent years.

The Blocks of Water specified in cfs shall be the total amount of additional water available for distribution among various months, as decided by the ERC and approved by FS, for areas within its jurisdiction, in a given water year (see Example). With the exception of water released for water temperature control, Block 1 shall be made available beginning in year 6 as defined herein through the remainder of the license term. In addition to Block 1, Block 2 shall be made available beginning in year 11 as defined herein through the remainder of the license term.

For water temperature control, the Total Block shall be made available upon implementation of the initial minimum streamflows and through the remainder of the license term. For example, if the ERC determines with approval from FS, for areas within its jurisdiction, that water temperature control is needed as early as year 1, up to the Total Block amount listed in the tables could be released for water temperature control during that year. The use of these Blocks of Water for water temperature control shall be evaluated on an annual basis. In the year after the ERC, with approval from FS, has increased a minimum streamflow for water temperature control, the minimum streamflow reverts back to its prior level if the ERC and FS do not determine that increased minimum streamflow is again needed for water temperature control.

Adaptive Management Block of Water for Bear River below Lower Bear River Reservoir Dam Minimum Streamflows					
	CD	DRY	BN	AN	WET
Block 1 (cfs), Available Yr. 6	16	22	24	24	19
Block 1 (AF), Available Yr. 6	964	1,289	1,427	1,440	1,150
Block 2 (cfs), Available Yr. 11	16	22	24	24	19
Block 2 (AF), Available Yr. 11	964	1,289	1,427	1,440	1,150
Total Block (cfs)	32	44	48	48	38
Total Block (AF)	1,928	2,578	2,854	2,880	2,300

Example of use of Block of Water for Minimum Streamflows (Lower Bear River Reservoir Dam): If, after 5 years, the ERC determines and FS, because the area is within its jurisdiction, decides that the Licensee shall release Block 1, and the first year in which the Block of Water is available is a Dry water year, 22 cfs would be available to apply to the initial minimum streamflow requirements, subject to the specified limitations. If this 22 cfs were to be distributed over 3 months with a maximum of 50% in the first month, then the allocation could be 11 cfs in the first month, 6 cfs in the second month, and 5 cfs in the third month. If year 11 was a BN year, and the ERC determined and FS decided that Block 2 was necessary, the full 24 cfs of Block 2 plus the full 24 cfs of Block 1 would be available to be applied in year 11. If year 18 were a Wet year, the full 19 cfs of Block 2 plus the full 19 cfs of Block 1 would be available to be applied in year 18, and so on.

Adaptive Management Block of Water for Cole Creek below Bear River Tunnel Diversion Minimum Streamflows					
	CD	DRY	BN	AN	WET
Block 1 (cfs), Available Yr. 6	10	14	18	21	16
Block 1 (AF), Available Yr. 6	572	855	1,084	1,277	982
Block 2 (cfs), Available Yr. 11	10	14	18	21	16
Block 2 (AF), Available Yr. 11	572	855	1,084	1,277	982
Total Block (cfs)	20	28	36	42	32
Total Block (AF)	1,144	1,710	2,168	2,554	1,964

Adaptive Management Block of Water for North Fork Mokelumne River below Salt Springs Reservoir Dam Minimum Streamflows					
	CD	DRY	BN	AN	WET
Block 1 (cfs), Available Yr. 6	80	97	96	116	132
Block 1 (AF), Available Yr. 6	4,819	5,797	5,760	6,987	7,939
Block 2 (cfs), Available Yr. 11	80	97	96	116	132
Block 2 (AF), Available Yr. 11	4,819	5,797	5,760	6,987	7,939
Total Block (cfs)	160	194	192	232	264
Total Block (AF)	9,638	11,594	11,520	13,974	15,878

Adaptive Management Block of Water for North Fork Mokelumne River below Tiger Afterbay Dam Minimum Streamflows					
	CD	DRY	BN	AN	WET
Block 1 (cfs), Available Yr. 6	80	113	110	134	146
Block 1 (AF), Available Yr. 6	4,819	6,776	6,588	8,071	8,749
Block 2 (cfs), Available Yr. 11	80	113	110	134	146
Block 2 (AF), Available Yr. 11	4,819	6,776	6,588	8,071	8,749
Total Block (cfs)	160	226	220	268	292
Total Block (AF)	9,638	13,552	13,176	16,142	17,498

Adaptive Management Block of Water for North Fork Mokelumne River below Electra Diversion Dam Minimum Streamflows					
	CD	DRY	BN	AN	WET
Block 1 (cfs), Available Yr. 6	80	113	110	134	146
Block 1 (AF), Available Yr. 6	4,819	6,776	6,588	8,071	8,749
Block 2 (cfs), Available Yr. 11	80	113	110	134	146
Block 2 (AF), Available Yr. 11	4,819	6,776	6,588	8,071	8,749
Total Block (cfs)	160	226	220	268	292
Total Block (AF)	9,638	13,552	13,176	16,142	17,498

Adaptive Management Block of Water for Tiger Creek below Tiger Creek Regulator Dam Minimum Streamflows					
	CD	DRY	BN	AN	WET
Total Block (cfs), Avail. Yr. 6	6	6	6	6	6

Adaptive Management Associated with Salt Springs Reservoir Temperature

In each Dry and CD year, the Licensee shall, upon decision by the ERC and with approval of FS, make available the Block of Water specified in the following table for temporarily increasing the minimum pool in Salt Springs Reservoir above the required minimum of 4,993 AF. All figures are displayed in acre-feet (AF). The Block of Water shown shall be available only in Dry and CD years when the ERC, with approval from FS, using water year type forecasting and other scientific information, determines that the water temperature criterion of 20° C or less as measured in the North Fork Mokelumne River immediately below Salt Springs Reservoir Dam will likely not be met without such increase in minimum pool. If, after applying the Block of Water in a given year, the ERC determines, with approval from FS, that the water temperature criterion can be met with a smaller minimum pool, the ERC, with approval from FS, will reduce the minimum pool requirement, provided the minimum pool shall not be less than 4,993 AF. In the year after the ERC, with approval from FS, has increased the minimum pool, the minimum pool requirement for Salt Springs Reservoir reverts back to the initial minimum pool of 4,993 AF if the new year is not a Dry or CD year, or if the new year is a Dry or CD year but the ERC and FS do not determine the Block of Water is needed to meet the water temperature criterion. Use of the Block of Water for increasing the minimum pool in Salt Springs Reservoir must be consistent with the requirements of the Lodi Decree and other regulatory and existing contractual requirements.

Adaptive Management Block of Water for Salt Springs Reservoir Minimum Pool

	CD	DRY	BN	AN	WET
Total Block (AF), Available Any Dry or CD Year	4,819	5,797	NA	NA	NA

Adaptive Management Associated with Pulse Flows

Each year, the Licensee shall, upon decision of the ERC and approval by FS, for areas within its jurisdiction, release additional streamflows up to those specified in the following tables, to be applied to the initial pulse flows for the Bear River and NFMR. All figures are displayed in cubic feet per second (cfs). Block 1 shall be made available beginning in year 6 as defined herein through the remainder of the license term. In addition to Block 1, Block 2 shall be made available beginning in year 11 as defined herein through the remainder of the license term. The ERC, with approval from FS, for areas within its jurisdiction, may reduce the initial magnitude and duration of the pulse flow events by up to 50 percent. The amount shown in the tables must be used between March 1 and June 30.

Adaptive Management Block of Water for Bear River below Lower Bear Reservoir Dam Pulse Streamflows					
	CD	DRY	BN	AN	WET
Block 1 (cfs), Available Yr. 6	NA	38	72	88	NA
Block 2 (cfs), Available Yr. 11	NA	38	72	88	NA
Total Block (cfs)	NA	76	144	176	NA

Example of use of Block of Water for Pulse Flows (Bear River below Lower Bear River Reservoir Dam): If, after 5 years, the ERC determines and FS decides, because the area is within its jurisdiction, that the Licensee shall release Block 1, and the first year in which the Block of Water is available is a Dry water year, 38 cfs would be available to apply to the initial pulse flow requirements, subject to the specified limitations. If year 11 was a BN year, and the ERC determined and FS decided that Block 2 was necessary, the full 72 cfs of Block 2 plus the full 72 cfs of Block 1 would be available to be applied in year 11.

Adaptive Management Block of Water for North Fork Mokelumne River below Salt Springs Reservoir Dam, Tiger Afterbay Dam, and Electra Diversion Dam Pulse Streamflows					
	CD	DRY	BN	AN	WET
Block 1 (cfs), Available Yr. 6	NA	63	138	225	NA
Block 2 (cfs), Available Yr. 11	NA	63	138	225	NA
Total Block (cfs)	NA	126	276	450	NA

Protection, Mitigation, and Enhancement Fund

The Licensee shall, within 6 months of license issuance, establish a tracking account for the purpose of funding: (a) resource monitoring beyond that specified in the Settlement, including monitoring after year 15 and (b) non-flow PM&E measures beyond those specified in the Settlement. This tracking account (PME Fund) shall initially be established in the amount of $1,500,000. The initial amount may be increased by up to $250,000 6 years after license issuance for the purpose of funding development of a Project reservoir temperature model, provided the ERC and FS make an affirmative determination, based on the first 5 years of monitoring results, that such a model is necessary to achieve the water temperature criterion stated in Appendix A, Section 7. The initial amount may also be increased by up to $250,000 6 years after license issuance for the purpose of funding PM&E measures for riparian restoration in Project-affected stream reaches, provided the ERC and FS make an affirmative determination, based on the first 5 years of monitoring results, that such PM&E measures for riparian restoration are necessary to achieve the applicable Riparian Habitat Objective described in the Settlement. The unspent balance of the PME Fund shall accrue interest at the 90-day commercial paper rate as determined by the Federal Reserve Bank of New York, credited on a quarterly basis.

Decisions on expenditures to be charged to the PME Fund will be made by the ERC, as mutually agreed among the members of the ERC. Such decisions shall be based on

scientific justification with consideration of cost-effectiveness and preservation of funding for use in the second half of the license term. No expenditure shall be made and charged to the PME Fund in the absence of any necessary regulatory or other legal approval, or for actions that would be in conflict with any regulatory, legal, or contractual requirement.

Absent reopener or license amendment, the Licensee's cost liability for monitoring and PM&E measures sought by the ERC beyond those specified in the Settlement is limited to the PME Fund. The Licensee shall have no liability for any unallocated PME Fund balance upon license expiration plus the term(s) of any annual license(s), which may be issued after license expiration or license surrender. The Licensee shall distribute an accounting statement to FERC, FS, and the ERC within 30 days after January 1 of each year after the PME Fund is established, summarizing the PME Fund balance, accrued interest, and previously charged amounts. The Licensee shall administer all work and payments under the PME Fund in a manner consistent with its normal business practices. The Licensee's cost of implementing funding decisions by the ERC shall be charged to the PME Fund; however, the Licensee's cost of administering the PME Fund account shall not be charged to the PME Fund.

Section 7. Water Quality

Water Temperature

The Licensee shall, beginning as early as reasonably practicable within 3 months after license issuance, maintain mean daily water temperatures of 20° C or less as measured in the North Fork Mokelumne River immediately below Salt Springs Reservoir Dam, by taking actions specified in the Settlement on controllable factors, consistent with the Lodi Decree, the Project license, and existing contractual requirements.

The Licensee shall install equipment needed to monitor compliance with this water temperature criterion as soon as reasonably practicable, and will make a good faith effort to complete this installation within 6 months after license issuance.

If monitoring indicates that there is a 2-day exceedance of mean daily temperature of 20°C at USGS gage 11316600 (License gage M38), the Licensee shall within 48 hours provide Notice to the ERC and FS. In addition, the Licensee shall within 5 days consult with responsive members of the ERC and FS as to appropriate actions.

Dissolved Oxygen

The Licensee shall, beginning 6 months after license issuance, maintain minimum dissolved oxygen levels of 7.0 ppm in Project-affected cold water reaches (Blue Creek between Upper Blue Lake Dam and Lower Blue Lake, Blue Creek between Lower Blue Lake Dam and Deer Creek, Meadow Creek between Twin Lake Dam and Meadow Lake, Meadow Creek between Meadow Lake Dam and North Fork Mokelumne River, Cole Creek between Bear River Tunnel Diversion and North Fork Mokelumne River, Bear River between Lower Bear River Reservoir Dam and North Fork Mokelumne River, Tiger Creek between Tiger Creek Regulator Dam and Tiger Creek Afterbay, North Fork Mokelumne River between Deer Creek and Salt Springs Reservoir, North Fork Mokelumne River between Salt Springs Reservoir Dam and Tiger Creek Afterbay, and North Fork Mokelumne River between Tiger Creek Afterbay Dam and Electra Diversion Dam) and 5.0 ppm in Project-affected warm water reaches (North Fork and Main Stem Mokelumne River between Electra Diversion Dam and Electra Powerhouse).

Cooperation

The Licensee shall cooperate with other Mokelumne watershed agencies and state and federal regulatory agencies to protect and manage watershed water quality for beneficial uses of the Mokelumne River. For all source water quality assessments that federal or state agencies require, the Licensee shall allow access to its lands and provide applicable available operating and water quality monitoring data.

Section 8. Breaching of East Panther Creek and West Panther Creek Diversion Dams and Dismantling of Beaver Creek Diversion Structures

The Licensee shall perform physical breaching and sediment removal work at two existing Tiger Creek Canal Feeder Diversion Dams (East Panther and West Panther Creeks) and dismantle certain existing diversion features at Beaver Creek Diversion Dam as described in the Breaching for East and West Panther Diversions and Dismantling of Beaver Creek Diversion Plan dated June 30, 2000 (Breaching Plan), provided: (a) the requirements of NEPA relative to this work are completed as part of the Project relicensing environmental analysis by FERC and FS, without a separate license amendment, (b) FERC removes these three diversion facilities from the new Project license as decommissioned Project features and modifies the Project boundary accordingly, without a separate license amendment, and (c) the Licensee's costs do not exceed the costs described in the next paragraph. The Licensee shall initiate obtaining required permits and approvals within 1 year after license issuance, shall initiate breaching and dismantling activities within 1 year of obtaining the required permits and approvals and shall complete the work within 2 years thereafter.

The Licensee's cost liability for breaching or dismantling the three diversion dams is limited as follows: (a) For pre-construction activities, including permitting and environmental analysis, the Licensee's cost liability is limited to $75,000 (year 2000 cost

basis). The Licensee shall maintain a separate account to track these costs and provide Notice to the Parties of any expected overrun in a timely manner. Overrun costs may be funded by the Parties, other than the Licensee, or others. However, if the overrun costs are not funded by Parties, other than the Licensee, or others, the Licensee shall charge to the PME Fund an amount equal to the overrun in the year the overrun costs are incurred. (b) For construction activities, the Licensee's cost liability for planning and implementation of physical breaching, sediment removal, and dismantling work as described in the Breaching Plan is estimated not to exceed $200,000 (year 2000 cost basis).

Subject to receipt of a new Project license which meets the requirements specified in the first paragraph of this Section 8 and, if necessary, California Public Utilities Commission approval, the Licensee shall transfer water rights for the three diversions, and provide copies of the documents that establish those water rights, to the CDFG (East and West Panther Creeks) and FS and CDFG jointly (Beaver Creek) or otherwise alter the water rights to ensure that diversions of water to the Tiger Creek Canal at these locations are terminated. The Licensee shall initiate the transfer or other alteration of water rights within 1 year of obtaining a new Project license which meets the requirements specified in the first paragraph of this Section 8. The Licensee shall, within 3 months of license issuance, provide to CDFG and FS copies of the documents that establish those water rights. The filing fee incurred by CDFG and FS for filing water rights transfer applications may be charged to the PME Fund. Transfer or alteration of the subject water rights shall not diminish the use by the Licensee of any of the Licensee's downstream or upstream water rights.

Section 9. Canal Maintenance and Operations

The Licensee shall, within 1 year after license issuance, develop in coordination with the ERC and FS a plan to designate preferred canal drainage structures and release points to be used in the event of an emergency and for maintenance, that will minimize adverse impacts to water quality. The plan shall be filed with FERC for approval.

The Licensee shall, beginning no more than 3 months after license issuance, not make water releases from the Salt Springs tailrace into the North Fork Mokelumne River as a substitute for using the Tiger Creek Canal during canal algae cleaning maintenance work. The Licensee may continue to use canal spillways to drain excess water from the canal for maintenance as necessary, consistent with the plan developed pursuant to the preceding paragraph.

Section 10. Streamflow and Reservoir Storage Gaging Plan

The Licensee shall within 3 months after license issuance, develop and file for FERC approval a Streamflow and Reservoir Storage Gaging Plan (gaging plan). The Licensee shall provide copies of the gaging plan to the ERC and FS.

Section 11. Recreation Streamflows in BN, AN and Wet Water Years

The Licensee shall, beginning as early as reasonably practicable within 3 months after license issuance but not prior to the implementation of the new minimum streamflows, provide recreation streamflows as follows. In BN, AN, and Wet water years, the Licensee shall release water stored in Salt Springs Reservoir and/or Lower Bear River Reservoir to result in streamflows of at least 900 cfs (700 cfs in BN years) on the following days, times, and runs in the period beginning two weekends prior to Memorial Day weekend and ending June 15 and prior to the start of spill at Salt Springs Reservoir Dam: (a) two non-consecutive weekend days between 10 AM and 12 Noon at the Devils Nose Run whitewater boating put-in, (b) three weekends of two consecutive weekend days (total of six days) between 10 AM and 2 PM at the Tiger Creek Dam Run whitewater boating put-in, and (c) one weekend day between 10 AM and 2 PM at the Ponderosa Way Run whitewater boating put-in. If Salt Springs Reservoir begins to spill prior to completion of the scheduled water release days such that streamflows of at least 900 cfs (700 cfs in BN years) occur at the scheduled days, times, and reaches without releasing water, no further water releases are required for recreation. However, whether resulting from water releases, spill flows, accretions, or a combination of the three, the actual days, times, and runs with streamflows of at least 900 cfs (700 cfs in BN years) shall not be less than specified above unless due to circumstances beyond the Licensee's reasonable control. In the event the specified number of days, times, and runs are not achieved, the Licensee shall provide 1 weekend day of streamflow of at least 700 cfs between 10 AM and 4 PM at the Electra Run whitewater boating put-in either in July, August, or September for each specified day not achieved. In scheduling water releases prior to the start of spill at Salt Springs Reservoir Dam, the Licensee shall give priority to Memorial Day weekend and days later in the specified period.

In addition to the streamflows specified above for the Devils Nose, Tiger Creek, and Ponderosa Way runs, the Licensee shall provide streamflows of at least 700 cfs between 10 AM and 4 PM at the Electra Run whitewater boating put-in an average of three out of every four weekend days between May 1 and June 15 and an average of two out of every four weekend days between June 16 and July 31.

All provisions for recreation streamflows are subject to the safe operability of the Project facilities and equipment necessary to provide such streamflows. The Licensee shall make a good faith effort to maintain the operability of such Project facilities and equipment and shall not schedule discretionary outages of such Project facilities and equipment in conflict with providing the recreation streamflows described above. The Licensee shall make a good faith effort to make scheduled recreation streamflow releases on the days when such releases are forecast to occur.

The recreation streamflows described above may be temporarily modified if required by equipment malfunction or operating emergencies reasonably beyond the control of the Licensee. If the described recreation streamflows are so modified, the Licensee shall provide Notice to FERC, FS, BLM, and the ERC as soon as possible but no later than 10 days after such incident. The described recreation streamflows may also be temporarily modified for short periods in non-emergency situations upon approval of FS and the responsive members of the ERC. If the described recreation streamflows are so modified, the Licensee shall provide Notice to FERC, FS, BLM, and the ERC.

Section 12. Recreation Streamflows in Dry and CD Water Years

The Licensee shall, beginning as early as reasonably practicable within 3 months after license issuance but not prior to the implementation of the new minimum streamflows, provide recreation streamflows as follows.

In Dry and CD water years, the Licensee shall provide recreation streamflows of at least 700 cfs between 10 AM and 4 PM at the Electra Run whitewater boating put-in an average of one out of every four weekend days between May 15 and June 30 and a minimum of 9 weekend days equally spread among the months of July, August, and September.

In Dry and CD water years, the Licensee shall provide recreation streamflows in the Devils Nose, Tiger Creek, and Ponderosa Way runs matching the days, times, and reaches specified for BN water years upon a determination by the ERC and FS, for areas within its jurisdiction, that such streamflows can be provided without unacceptable environmental impact. If provided, these recreation streamflows shall replace the recreation streamflows on the Electra Run in July, August, and September described in the immediately preceding paragraph. The determination made by ERC and FS shall be based on an investigation of the potential for ecologically suitable recreation streamflow based on monitoring identified in Appendix A, Section 6 of the Settlement. The initial evaluation and determination shall be made within 3 years of license issuance. Absent a determination that such streamflows can be provided, the Licensee shall annually request that the subject be reconsidered by the ERC and FS, for areas within its jurisdiction, for 10 years after the initial determination.

All provisions for recreation streamflows are subject to the safe operability of the Project facilities and equipment necessary to provide such streamflows. The Licensee shall make a good faith effort to maintain the operability of such Project facilities and equipment and shall not schedule discretionary outages of such Project facilities and equipment in conflict with providing the recreation streamflows described above. The Licensee shall make a good faith effort to make scheduled recreation streamflow releases on the days when such releases are forecast to occur.

The recreation streamflows described above may be temporarily modified if required by equipment malfunction or operating emergencies reasonably beyond the control of the Licensee. If the described recreation streamflows are so modified, the Licensee shall provide Notice to FERC, FS, BLM, and the ERC as soon as possible but no later than 10 days after such incident. The described recreation streamflows may also be temporarily modified for short periods in non-emergency situations upon approval of FS and the responsive members of the ERC. If the described recreation streamflows are so modified, the Licensee shall provide Notice to FERC, FS, BLM, and the ERC.

Section 13. Whitewater Boating Monitoring and Adjustment of Recreation Streamflows

Licensee shall, within 1 year after license issuance and in cooperation with FS and BLM, develop a plan for joint monitoring of actual whitewater boating use of the Devils Nose, Tiger Creek, and Ponderosa Way runs for the purposes of: (a) determining the adequacy of the 700 cfs specified initially for these runs in BN years and, to the extent streamflows in these runs are provided in Dry and CD years, for those years too, (b) determining the adequacy of the 900 cfs specified initially for the Devils Nose Run in AN and Wet years, and (c) determining the appropriateness of the number of days of recreation streamflows specified for BN, AN and Wet water years and, to the extent recreation streamflows for these runs are provided in Dry and CD years, for those years too.

Adequacy of 700 cfs. The Licensee shall, in cooperation with FS and BLM, assess the adequacy of recreational streamflows of 700 cfs in BN, Dry, and CD water years for the Devils Nose, Tiger Creek, and Ponderosa Way runs. If, based on actual river boating use of any of the Devils Nose, Tiger Creek, and Ponderosa Way runs, FS or BLM determines that 700 cfs is inadequate for passage of rafts or inadequate for an acceptable whitewater boating experience on that run, the recreation streamflow provided for that run in BN, Dry, and CD water years shall be increased from 700 cfs to a level adequate for rafts and adequate for an acceptable boating experience, provided that the required minimum streamflow at the put-in shall not exceed 900 cfs (1,000 cfs for Devils Nose Run).

Adequacy of 900 cfs. The Licensee shall, in cooperation with FS, assess the adequacy of recreation streamflows of 900 cfs in AN and Wet water years for the Devils Nose Run. If, based on actual river boating use of the Devils Nose Run, FS determines that 900 cfs is inadequate for passage of rafts or inadequate for an acceptable whitewater boating experience on that run, the recreation streamflow provided for that run in AN and Wet water years shall be increased from 900 cfs to a level adequate for rafts and adequate for an acceptable boating experience, provided that the required minimum streamflow at the put-in shall not exceed 1,000 cfs.

Appropriateness of Number of Days. Each year, the Licensee shall, in cooperation with FS and BLM, survey actual whitewater boating use of each of the Devils Nose, Tiger Creek, and Ponderosa Way runs on 4 random unannounced weekend days in May and June when streamflows of at least 700 cfs are forecast and available (or on the number of days such streamflows are available, if less than 4). After each 3-year cycle of surveys, the Licensee shall compile the survey data for the 3 most recent years for which data are available and shall provide copies to FS, BLM, AW, and other interested agencies and members of the public. If FS or BLM determine that actual surveyed whitewater boating use on a run exceeds the "add" trigger point for that run on at least 75% of the survey days for the 3-year period, the number of days the Licensee shall provide recreation streamflows for that run shall be increased by 1 day. The trigger points for each run for adding 1 day are: Devils Nose Run, 27 boats; Tiger Creek Dam Run, 37 boats; Ponderosa Way Run, 30 boats. The maximum number of days for each run are: Devils Nose Run, 8 weekend days over 4 weekends; Tiger Creek Dam Run, 10 weekend days over two, 2-day weekends and two, 3-day weekends (Friday, Saturday and Sunday); Ponderosa Way Run, 2 weekend days over two weekends. The sequence for adding days is to add the maximum number of non-consecutive days first, then add the consecutive days. If FS or BLM determines that actual surveyed whitewater boating use on a run on 75% of the survey days is not at least the "delete" trigger point for that run, the number of days the Licensee shall provide recreation streamflows for that run shall be decreased by 1 day, provided that the number of days recreation streamflows are provided shall not be less than the number of days specified initially for that run. The trigger points for each run for deleting 1 day are: Devils Nose Run, 7 boats; Tiger Creek Dam Run, 9 boats; Ponderosa Way Run, 7 boats. The sequence for deleting days is the reverse of the sequence for adding days. Boating use surveys may be discontinued by mutual agreement among the Licensee, FS and BLM after consultation with AW and other interested members of the public. Additionally, the trigger points for adding or deleting days may be changed by mutual agreement among the Licensee, FS, and BLM after consultation with AW and other interested members of the public, and with the concurrence of FERC, based on the carrying capacity of the resource. The survey protocols and priorities among days of the week for adding or deleting days shall be developed through consultation among the Licensee, FS, BLM, AW, and interested members of the public. For the purposes of this paragraph, one raft or "cataraft" with a length of at least 10 feet counts as two boats. If, pursuant to this paragraph, the number of recreation streamflow days on any of the Devils Nose, Tiger Creek, or Ponderosa Way runs is increased from the specified initial number of days, the number of days of recreation streamflows specified for the Electra Run during July, August, and September in Dry and CD water years shall be adjusted from the initial 9 days to the total number of recreation streamflow days for the upper three runs combined.

All provisions for recreation streamflows are subject to the safe operability of the Project facilities and equipment necessary to provide such streamflows. The Licensee shall make a good faith effort to maintain the operability of such Project facilities and equipment and shall not schedule discretionary outages of such Project facilities and equipment in conflict with providing the recreation streamflows described above. The Licensee shall

make a good faith effort to make scheduled recreation streamflow releases on the days when such releases are forecast to occur.

Section 14. Streamflow Information

The Licensee shall, beginning as soon as reasonably practicable within 6 months after license issuance, make the following recreation streamflow information available to the public via toll-free phone and Internet from April 5 through October 31 each year. The phone information shall consist of a "yes/no" forecast of whether recreation streamflow in the specified increments is anticipated to be available at the put-in for each of the Devils Nose, Tiger Creek Dam, Ponderosa Way, and Electra runs during the specified daytime periods. The flow increments shall be 0 to 700 cfs, 700 to 3,100 cfs (in 800 cfs increments), and greater than 3,100 cfs. The daytime periods shall be 10 AM to 2 PM for the Devils Nose Run and 9 AM to 3 PM for the other three runs. Forecasts shall be updated each Thursday by 4 PM for the upcoming Friday, Saturday, and Sunday. Internet information shall consist of: (a) the same forecast recreation streamflow information available by phone, (b) daily updates of the readings of USGS gages 11314500 (Licensee gage M11), 11316600 (Licensee gage M38), 11316700 (Licensee gage M46), and 11316670 (Licensee gage M59) ± 100 cfs at 9 AM, 12 Noon, and 4 PM and the estimated streamflow (or stream gage reading, if available) on the Electra Run ± 100 cfs at 9 AM, 12 Noon, and 4 PM, as well as the time and magnitude of the maximum and minimum flow at each of these gages and the Electra Run between 9 AM and 4 PM, all for each of the prior 7 days, (c) whenever Salt Springs Reservoir Dam is spilling, real time hourly updates from 7 AM to 11 AM of the readings of USGS gages 11314500 (Licensee gage M11), 11316600 (Licensee gage M38), 11316700 (Licensee gage M46), and 11316670 (Licensee gage M59) ± 100 cfs, and (d) a forecast by April 5, with an updated forecast by May 5 and weekly updates thereafter through July 31 of the dates that the Licensee anticipates streamflows will be in excess of 700 cfs due to spills and/or releases at the put-in for each of the upper three runs during the specified daytime periods. Forecasts shall be as accurate as reasonably feasible, recognizing that the forecasts and streamflows cannot be guaranteed and are subject to change. The Licensee shall make a good faith effort to make scheduled streamflow releases on the days when such releases are forecast to occur. The flow information may be made available to the public via a third party. The flow information protocols described above may be modified upon mutual agreement of the Licensee, BLM, FS, and AW and acceptance by FERC.

Section 15. Whitewater Boating Access Facility Recommendations

Devils Nose Run Put-in Facilities

The Licensee shall consult with FS and FC and provide funds of up to $25,000 for site studies and up to $30,000 for facilities (year 2000 cost basis) for FS to plan, design, and construct or install whitewater boating put-in facilities for the Devils Nose Run to be

owned, operated, and maintained by FS not as part of the Project, provided that FS has made a good faith effort to assist the Licensee in obtaining such funding from other sources, including but not limited to CDBW, if the Licensee decides to seek such funding. Put-in facilities shall consist of put-in information signage, a simple staff gage, barrier rocks for resource protection, and a vault toilet. Licensee funding shall be made available as needed with the expectation that the put-in facilities will be completed within 2 years after license issuance.

Devils Nose Run Take-out Facilities

The Licensee shall, in consultation with FS, BLM, FC, and AW, plan, design, and install parking area signage for the whitewater boating take-out for the Devils Nose Run as part of the Project. Signage shall identify public parking areas, overflow parking areas, and boat loading areas near Tiger Creek Powerhouse. Installation of the signage shall be completed within 1 year after license issuance.

Tiger Creek Run Put-in Facilities

The Licensee shall, in consultation with BLM, FC, and AW plan, design, and construct, install, or provide whitewater boating put-in facilities for the Tiger Creek Run to be owned, operated and maintained by the Licensee as part of the Project. Put-in facilities shall consist of put-in information signage, parking signage, a simple staff gage, grading to provide unpaved parking for 15 vehicles (including nearby overflow parking), trash receptacles, and a portable toilet during the whitewater boating season. The facilities shall be completed within 2 years after license issuance.

Tiger Creek Run Take-out Facilities

The Licensee shall, in consultation with BLM, FC, and AW plan, design and construct, install, or provide whitewater boating take-out facilities for the Tiger Creek Run to be owned, operated, and maintained by the Licensee as part of the Project. Take-out facilities shall consist of parking signage, grading to provide unpaved parking for 12 vehicles, an unpaved trail from the parking area to the take-out location and a portable toilet during the whitewater boating season. The facilities shall be completed within 2 years after license issuance.

Ponderosa Way Run Put-in Facilities

The Licensee shall, in consultation with BLM, FC, AW, and Calaveras County plan, design and construct, install, or provide whitewater boating put-in facilities for the Ponderosa Way Run to be owned, operated, and maintained by the Licensee as part of the Project. Put-in facilities shall consist of put-in information signage, parking signage, a simple staff gage, grading to maximize unpaved parking at the end of the county access

road for up to 6 vehicles and a portable toilet during the whitewater boating season. The facilities shall be completed within 2 years after license issuance.

Ponderosa Way Run Take-out Facilities

The Licensee shall, in consultation with BLM, FC, and AW plan, design and construct, install, or provide whitewater boating take-out facilities for the Ponderosa Way Run to be owned, operated, and maintained by the Licensee as part of the Project. Take-out facilities shall consist of mid-river signage directing boaters to the take-out location, parking signage at the large parking area near Electra Powerhouse, boat-loading area signage at the take-out location approximately 400 feet upstream of Electra Afterbay Dam, and a trash receptacle. The facilities shall be completed within 1 year after license issuance.

Electra Afterbay Dam Portage

The Licensee shall, in consultation with BLM, FC, and AW plan, design, and construct or install whitewater boating portage facilities to be owned, operated, and maintained by the Licensee as part of the Project. Portage facilities shall consist of signage identifying the Ponderosa Way Run take-out as the start of a portage and describing the portage route along Electra Road, signage identifying Electra Put-in as the end of the portage route, and if feasible at a total cost to the Licensee not to exceed $5,000 (year 2000 cost basis) a paved trail up to 4-feet in width from Electra Road to a suitable launch site on the Mokelumne River just downstream of Electra Afterbay Dam. The facilities, except for the trail, shall be completed within 1 year after license issuance. The trail, if constructed, shall be completed within 2 years after license issuance.

Electra Run Put-in Facilities

The Licensee shall, in consultation with BLM, FC, and AW plan, design, and construct or install whitewater boating put-in facilities for the Electra Run to be owned, operated, and maintained by the Licensee as part of the Project. Put-in facilities shall consist of put-in information signage, parking signage, a simple staff gage, grading improvements to 8 unpaved parking spaces on the shoulder of Electra Road near the put-in, and a 4-foot wide unpaved trail from each of the existing overflow parking areas immediately downstream of the Electra Day-Use Area to the launch site. The facilities shall be completed within 2 years after license issuance.

Electra Run Take-out Facilities

The Licensee shall, after license issuance and in consultation with BLM and FC, make a good faith effort to purchase at fair market value suitable real property as such property becomes available, or to obtain a long-term lease or easement for use of such property, in the vicinity of the Highway 49 bridge over the Mokelumne River for use as a whitewater boating take-out location for the Electra Run. Licensee shall donate such purchased

property or assign such lease or easement to BLM within 6 months after completing the purchase or obtaining the lease or easement. The Licensee shall consult with BLM in the planning, design, and construction or installation of take-out facilities for the Electra run to be owned, operated, and maintained by BLM, not as part of the Project. Take-out facilities shall consist of signage, a paved access road from Highway 49 to a paved parking area, parking for 20 to 25 vehicles, trash receptacles, and a vault toilet (or portable toilets during the boating season if a vault toilet is not feasible). The Licensee shall provide funds of up to $25,000 specifically for performance of site studies and funds specifically for reasonable facility design cost in excess of design funds obtained from others. Additionally, the Licensee shall provide funds of up to $200,000 for BLM to design and construct the listed take-out facilities, provided that BLM has made a good faith effort to assist the Licensee in obtaining such funding from other sources including, but not limited to CDBW, and further provided that such funding has not been obtained within 3 years of completion of transfer to BLM of title to the property or the lease or easement. All fund amounts are on a year 2000 cost basis.

Contributions for River Rangers and Recreation Technician

The Licensee shall contribute annually by January 15 the amount of $25,000 (year 2000 cost basis) for BLM to provide two persons to act as River Rangers during the whitewater boating season. The Licensee's contribution shall be contingent on the River Rangers providing an administrative presence on the four whitewater boating runs affected by the Project, including assisting Licensee in monitoring the adequacy of recreation streamflows for an acceptable boating experience, monitoring whitewater boating use, evaluating carrying capacity thresholds, providing public safety information, general maintenance duties at put-ins and take-outs, and other activities upon mutual agreement among the Licensee, FS, and BLM. The Licensee shall also contribute annually by October 1 the amount of $10,000 (year 2000 cost basis) for FS to perform maintenance, monitoring and reporting activities related to the Devils Nose Run put-in not otherwise performed by the River Rangers, and shall contribute annually by January 15 the amount of $5,000 (year 2000 cost basis) for BLM to perform maintenance activities at the Electra Run take-out not otherwise performed by the River Rangers.

Appendix E. California Research Bureau, Regulatory Impact of Wild & Scenic Rivers Designations (Update to 2005 Wolk Memo)

Date: January 11, 2018

To: Joseph Wall, California Natural Resources Agency

From: Ben Tang, California Research Bureau

Re: Regulatory Impact of Wild & Scenic Rivers Designation (Update to 2005 Wolk Memo)

You asked the California Research Bureau for a review of the regulatory impact on rivers designated as part of the California Wild & Scenic River system. Your request was essentially for an update to our April 2005 memo to the California Assembly Water, Parks and Wildlife Committee on the various impacts of Wild and Scenic River designation.[1] The 2005 memo found no or minor changes to watershed management and to regulatory or permitting processes for projects in or around designated rivers – with the important exception that the Wild & Scenic Rivers Act specifically prohibits future dams, reservoirs and water impoundments from being built on designated segments (the operation of existing dams and reservoirs, however, were unimpeded).

Given data provided by the California Natural Resources Agency, data publicly available from the State Water Resources Control Board and information from interviews with regulators, the Research Bureau concludes that Wild & Scenic River designation continues to have a negligible impact on regulation of designated rivers. One theme recurring in all interviews is that the impact of the Wild & Scenic River Act is limited by its regulatory overlap with several other existing state and federal environmental laws, notably the California Environmental Quality Act and both U.S. and California Endangered Species Acts.[2]

The Wild & Scenic River designation protects the free-flowing nature of streams, and prohibits only the construction of any "dam, reservoir, diversion, or other water impoundment facility" on designated segments.[3] As well, "no department or agency of the state may assist or cooperate, whether by loan, grant, license, or otherwise, with any department or agency of the federal, state, or local government" in the planning or construction of such facilities.[4] Note that no state agency or department is empowered with additional regulatory capabilities by the Wild & Scenic Rivers Act, but "shall exercise their powers granted under any other provision of law in a manner that protects the free-flowing state" of designated segments of rivers.[5]

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[1] Pollak, Daniel. (2015, April 11). "Memo to Lois Wolk, Chair, Assembly Water, Parks and Wildlife Committee, RE: California Wild and Scenic Rivers Act." California Research Bureau. https://www.rivers.gov/documents/impacts-california-wild-scenic-rivers-act.pdf

[2] Other laws that potentially affect use of Wild & Scenic Rivers include the Clean Water Act Section 404, 401 Certification, National Pollutant Discharge Elimination System, and Fish and Game Code Section 1602 Streambed Alteration Agreement.

[3] California Wild and Scenic Rivers Act. Public Resources Code §5093.55. http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=5093.55.&lawCode=PRC

[4] PRC §5093.56. http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=5093.56.&lawCode=PRC

[5] PRC §5093.61. http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=5093.61.&lawCode=PRC

The 2005 Research Bureau memo inquired only into rivers designated wild and scenic under the California system, but not in the federal system, to better focus on the impact of the state law.[6] The updated list of such rivers for the purposes of this memorandum is provided in Table 1. The rights and operations of pre-existing major facilities are generally exempted from activities prohibited in the Wild & Scenic Rivers Act. One regulator with the Department of Fish & Wildlife noted that the some river segments designated Wild & Scenic are actually rather short, and coupled with the fact that a lot of applications are for tributaries rather than the mainstreams, the Wild & Scenic River Act protection comes into effect less frequently than might be expected.

Table 1: California Wild & Scenic Rivers and protected rivers not in federal system

River	Year Added	Portion of River Designated[7]	Comments
Albion	2003	From ¼-mile upstream of confluence with Deadman Gulch downstream to Pacific Ocean	—
Cache Creek	2005	From ¼-mile below Cache Creek Dam to Camp Haswell; North Fork Cache Creek from Highway 20 bridge to confluence with main stem	• Not to interfere with Yolo County Flood Control and Water Conservation District water rights within Lake County watershed, provided no dam, reservoir or other water impoundment facility is involved • No application into federal Wild and Scenic Rivers system
(East Fork) Carson	1989	East Fork from Hangman's Bridge crossing of State Highway Route 89 to Nevada border	—
Gualala	2003	Main stem from confluence of North and South Forks to Pacific Ocean	—
McCloud[8]	1989	From Algoma to confluence with Huckleberry Creek, and ¼-mile downstream from McCloud Dam to McCloud River Bridge, and Squaw Valley Creek from confluence with Cabin Creek to confluence with McCloud River	• Not in Wild & Scenic system, but protected in Act due to unique wild trout fishery • Not to interfere with Pacific Gas & Electric Company operation of McCloud-Pit development and McCloud Dam, provided any retrofit does not alter flow below dam
Mill Creek and Deer Creek[9]	1995	• Mill Creek from headwaters of East Sulphur Creek (Section 15 T30N R4E) to U.S. Geological Survey gauging station in Section 6 T25N, R1W • Deer Creek from headwaters (Section 11 T27N R5E) to U.S. Geological Survey gauging station in Section 23, T25N, R1W	• Not in Wild & Scenic system, but protected in Act due to unique wild salmon fishery • Not to interfere with fishery projects under Central Valley Project Improvement Act or Upper Sacramento River Fisheries and Riparian Habitat Management Plan
South Yuba	1999 (2001)	From Lang Crossing to confluence with Kentucky Creek below Bridgeport	Not to interfere with Placer County Water Agency water rights, unless changes would have adverse effects
West Walker / Leavitt Creek	1989	Main stem from source to confluence with Rock Creek near town of Walker; Leavitt Creek from Leavitt Falls to confluence with West Walker River main stem	—

[6] In 2005, these were the Albion River, East Carson River, Gualala River, South Yuba River and West Walker River/Leavitt Creek. After the 2005 memo, Cache Creek was added to the state system by AB 1328 (Wolk, Stats. 2005, Ch. 576). http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=200520060AB1328

[7] PRC §5093.54. http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=5093.54.&lawCode=PRC

[8] PRC §5093.542. http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=5093.542.&lawCode=PRC

[9] PRC §5093.70. http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PRC&sectionNum=5093.70

The Wild & Scenic Rivers Act also prohibits any water diversion facility from being constructed unless the Secretary of Natural Resources has determined that the facility "is needed to supply domestic water to the residents" of the area and that the facility "does not adversely affect the free-flowing condition and natural character of the river."[10] In a review of determinations drafted by the Office of the Secretary in the past 12 years, almost all diversions were approved by the Secretary (see Table 2). Regarding one potentially inconsistent finding (May 2008, A031661/662 on the Eel), the Secretary later determined the river segment was not actually wild and scenic (Oct 2009). Based on these determinations, the Wild & Scenic Rivers Act does not seem to have adversely affected diversion applications on wild and scenic river segments.

Table 2: Water Rights Applications Received by Natural Resources Agency and Provided to California Research Bureau

River	Date	Registration No.	Finding
Trinity River (federal)	Jun 5, 2006	D31578R	Approved
Trinity River (federal)	Jun 5, 2006	D31471R	Approved
Trinity River (federal)	Jun 5, 2006	D31570R	Approved
Trinity County	Dec 13, 2006	D31631R	Approved
Trinity County	Dec 13, 2006	D31638R	Approved
Trinity County	Feb 16, 2007	D31645R	Approved
Trinity County	Mar 24, 2008	D031688R	Approved
Eel River (federal)	May 2008	A031661/A031662	Incomplete, potentially inconsistent
Smith River (federal), Van Duzen River (federal)	Jun 6, 2008	OGAC Overlay, storm damage repair	No determination necessary
Humboldt County	Jun 12, 2008	Bourassa Project	Approved
Trinity County	Oct 14, 2008	D0316986R	Approved
Smith River (federal)	Jun 5, 2009	Crescent City appropriation permit 011475	CEQA analysis pending, require change of use from municipal to domestic purposes
Trinity River (federal)	Jun 5, 2009	D031729R	Approved (conditional on compliance with changes related to fish)
Trinity River (federal)	Jun 5, 2009	D031754R	Approved (conditional on additional permit for streambed alteration)
Eel River (federal), Mill Creek (state)	Oct 27, 2009	A031661/A031662	No determination (out of jurisdiction), but warning regarding Mill Creek tributary
Trinity River (federal)	Sep 9, 2010	318549	Approved
Smith River (federal)	Jan 7, 2011	Lopez Parcel Elder Housing	Secretarial concurrence
Eel River (federal)	Jan 7, 2011	APN 223-061-11	Secretarial concurrence (conditional on compliance with streambed alteration)
Trinity River (federal)	Jul 15, 2011	D031874R	Approved
Trinity River (federal)	Aug 2, 2013	D031948	Secretarial concurrence
Klamath River (federal)	Jan 3, 2014	D031950	Secretarial concurrence
Eel River (federal)	Jan 3, 2014	D032014	Secretarial concurrence, conditional
Trinity River (federal)	Jan 3, 2014	Lewiston pumping station relocation	Secretarial concurrence, conditional

[10] PRC §5093.55. http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=5093.55.&lawCode=PRC

A quick check of water rights permits with the State Water Resources Control Board's online database shows only one application since 2005 for appropriative, temporary and small domestic use registration within watersheds with designated Wild and Scenic Rivers that was rejected (see Tables 3 to 7).[11]

Table 3: Appropriative, Temporary and Registration Water Rights for Albion River since 2003[12]

Appl ID	Water Right Type	Status	Date	Face Amt	County	On Wild & Scenic mainstem?
A032814	Appropriative	Pending	05/23/2017	4 acre-ft/yr	Mendocino	No
D032257	Registration Domestic	Registered	05/22/2017	7.6 acre-ft/yr	Mendocino	No
D032175	Registration Domestic	Registered	03/24/2017	0 acre-ft/yr	Mendocino	No
D032132	Registration Domestic	Registered	11/30/2016	11.62 acre-ft/yr	Mendocino	No
A023207	Appropriative	Revoked	09/30/2016	0.8 acre-ft/yr		No
D032310	Registration Domestic	Pending	10/21/2014	0 acre-ft/yr	Mendocino	No
D032007	Registration Domestic	Registered	03/06/2013	3 acre-ft/yr	Mendocino	No
A017680	Appropriative	Revoked	10/10/2012	3.6 acre-ft/yr		No
A023175B	Appropriative	Revoked	03/09/2012	0.4 acre-ft/yr		No
A029795	Appropriative	Revoked	10/06/2009	1.6 acre-ft/yr		No
A029608	Appropriative	Revoked	02/15/2008	0.8 acre-ft/yr		No
A009027	Appropriative	Revoked	08/15/2006	0 acre-ft/yr		No
D031608	Registration Domestic	Registered	05/04/2006	2.2 acre-ft/yr	Mendocino	No
L031480	Registration Livestock	Registered	12/22/2005	2.6 acre-ft/yr	Mendocino	No
A023818	Appropriative	Revoked	08/03/2005	0 acre-ft/yr		No

Table 4: Appropriative, Temporary and Registration Water Rights for Cache Creek watershed since 2005[13]

Appl ID	Water Right Type	Status	Date	Face Amt	County	On Wild & Scenic mainstem?
D032821	Registration Domestic	Pending	06/08/2017	0.28 acre-ft/yr		No
A030639	Appropriative	Revoked	04/21/2016	34 acre-ft/yr	Lake	No
D030810	Registration Domestic	Revoked	11/12/2009	10 acre-ft/yr		No
A031659	Appropriative	Cancelled	10/19/2009	26 acre-ft/yr		No
A030580	Appropriative	Revoked	05/07/2009	28 acre-ft/yr		No
A007108	Appropriative	Revoked	11/26/2008	7.2 acre-ft/yr		No
A027797	Appropriative	Revoked	08/20/2008	0.7 acre-ft/yr		No
A031707	Appropriative	Pending	05/07/2008	5900 acre-ft/yr	Lake	Lake County Watershed Protection District
A031070	Appropriative	Cancelled	03/17/2008	136 acre-ft/yr		No

[11] Application ID D032277 on the South Yuba River seems related to the controversial Van Norden Lake, but the Research Bureau has no information on individual applications.

[12] Electronic Water Rights Information Management System - Water Rights Records Search, California Integrated Water Quality System, California State Water Resources Control Board. https://www.waterboards.ca.gov/waterrights/water_issues/programs/ewrims/. The eWRIMS system does not specify the Albion River by name, so its U.S. Geological Survey Hydrological Unit Code was used: 180101080801.

[13] *Ibid.*

A028601	Appropriative	Licensed	08/28/2006	26.4 acre-ft/yr	Lake	No
D029880	Registration Domestic	Registered	06/30/2006	0.4 acre-ft/yr	Lake	No
A021769	Appropriative	Revoked	03/06/2006	9 acre-ft/yr		No

Table 5: Appropriative, Temporary and Registration Water Rights for Gualala River since 2003[14]

Appl ID	Water Right Type	Status	Date	Face Amt	County	On Wild & Scenic mainstem?
A032563	Appropriative	Cancelled	06/10/2016	249 acre-ft/yr		No
A032563A	Appropriative	Pending	06/10/2016	76 acre-ft/yr	Sonoma	No
A032563B	Appropriative	Pending	06/10/2016	173 acre-ft/yr	Sonoma	No
A032139	Appropriative	Permitted	10/27/2014	14 acre-ft/yr	Sonoma	No
A022446	Appropriative	Revoked	02/03/2014	14 acre-ft/yr		No
A023073	Appropriative	Revoked	02/03/2014	1.2 acre-ft/yr		No
A031373	Appropriative	Permitted	11/17/2011	13 acre-ft/yr	Sonoma	No
T031428	Temporary Permit	Revoked	04/26/2011	300 acre-ft/yr		No
A022377	Appropriative	Licensed	03/24/2011	310 acre-ft/yr	Sonoma	No
A031834	Appropriative	Pending	06/29/2010	603 acre-ft/yr	Sonoma	No
A031792	Appropriative	Pending	07/21/2009	185 acre-ft/yr	Mendocino	No
A026263	Appropriative	Revoked	03/16/2007	14 acre-ft/yr		No
A031248	Appropriative	Cancelled	12/20/2006	6 acre-ft/yr		No
A025131	Appropriative	Revoked	09/14/2005	0 acre-ft/yr		No

Table 6: Appropriative, Temporary and Registration Water Rights for South Yuba River since 1999[15]

Appl ID	Water Right Type	Status	Date	Face Amt	County	On Wild & Scenic mainstem?
D032277	Registration Domestic	Rejected	02/09/2017	5 acre-ft/yr	Nevada	Yes
A024183	Appropriative	Revoked	08/28/2013	0.1 acre-ft/yr		No
A023315	Appropriative	Licensed	11/27/2012	9.3 acre-ft/yr	Nevada	Yes
A026605	Appropriative	Licensed	01/05/2011	45 acre-ft/yr	Nevada	No
A027000	Appropriative	Licensed	05/28/2009	20 acre-ft/yr	Nevada	No
A030728	Appropriative	Licensed	05/28/2009	6 acre-ft/yr	Nevada	No
A026924	Appropriative	Revoked	05/28/2009	100 acre-ft/yr		No
A025193	Appropriative	Revoked	04/02/2008	14 acre-ft/yr		Yes
A025135	Appropriative	Revoked	04/02/2008	7.8 acre-ft/yr		Yes
D031152	Registration Domestic	Registered	06/30/2006	0.9 acre-ft/yr	Nevada	Yes
D031609	Registration Domestic	Registered	05/04/2006	1 acre-ft/yr	Nevada	No
A016542	Appropriative	Revoked	08/05/2005	0 acre-ft/yr		No
A026017	Appropriative	Revoked	02/16/2005	1.4 acre-ft/yr		No
A021898	Appropriative	Revoked	10/06/2004	0 acre-ft/yr		No

[14] *Ibid*. Hydrological Unit Code 1801010901.
[15] *Ibid*. Hydrological Unit Codes 1802012507 and 1802012506 (Partial).

A016792C	Appropriative	Revoked	08/24/2004	0 acre-ft/yr		No
A015002	Appropriative	Revoked	08/05/2004	0 acre-ft/yr		No
D031460	Registration Domestic	Registered	06/30/2004	1 acre-ft/yr	Nevada	No
D030631	Registration Domestic	Revoked	01/03/2003	4 acre-ft/yr		No
D031104	Registration Domestic	Revoked	08/06/2002	5 acre-ft/yr		No
D031329	Registration Domestic	Registered	05/30/2002	10 acre-ft/yr	Placer	No
D031013	Registration Domestic	Registered	03/27/2000	10 acre-ft/yr	Nevada	No

Table 7: Appropriative, Temporary and Registration Water Rights for West Walker River/Leavitt Creek since 1989[16]

Appl ID	Water Right Type	Status	Date	Face Amt	County	On Wild & Scenic mainstem?
A013290	Appropriative	Revoked	06/20/2005	0 acre-ft/yr	Mono	Yes
A027055	Appropriative	Revoked	10/26/2001	0.1 acre-ft/yr	Mono	No

Small domestic use registrations are an interesting category of water rights permits. The Water Rights Permitting Reform Act (1988) was passed to streamline the processing of small domestic water use projects, most of which were of little risk and did not require much special notice. Until July 2017, such small domestic use registrations needed to go from the State Water Resources Control Board to the Natural Resources Agency for Secretarial approval, consistent with the California Wild & Scenic Rivers Act. Now by agreement, the State Water Resources Control Board no longer notifies Natural Resources and simply posts public notifications of all small domestic use registrations on Wild and Scenic river segments for the past year on a webpage.[17]

The pro forma nature of the posting process suggests there are few regulatory barriers to domestic use applications for diversions due to Wild & Scenic River designation. In fact, interviewees from the State Water Resources Control Board, the Department of Fish & Wildlife and the Natural Resources Agency all stated that they were willing to work to modify any "objectionable" applications to make them consistent with the Wild & Scenic River Act, rather than deny them outright. The interviewees did not recollect any permits ever being rejected based on the Wild & Scenic River basis – other environmental regulations such as CEQA have more impact in filtering out certain applications or forcing modifications before the free-flowing nature of the river becomes relevant. What the Wild & Scenic River Act does add, again, is the ban against major construction projects (dams, reservoirs, water impoundments) from being built or adversely affecting designated segments of Wild and Scenic Rivers.

[16] *Ibid*. Hydrological Unit Codes 1605030201 + 1605030202 (Partial).
[17] The "Notice of Registrations to Appropriate Water" can be found at https://www.waterboards.ca.gov/waterrights/water_issues/programs/registrations/notices/

Appendix F. Stakeholder and Public Outreach

F-1. California Natural Resources Agency Request for Information

CALIFORNIA natural resources AGENCY

EDMUND G. BROWN JR., Governor
JOHN LAIRD, Secretary for Natural Resources

Subject: *REVISED* Request for Information to Prepare the Mokelumne River Wild and Scenic River Suitability Report Required Under Assembly Bill 142

To Whom It May Concern:

Assembly Bill 142 (Bigelow) requires the Secretary of the California Natural Resources Agency to prepare a report analyzing the suitability or nonsuitability of a proposed designation of the Mokelumne River, its tributaries, or segments thereof as additions to the California Wild and Scenic Rivers System; and to consider the potential effects of the proposed designation on future water requirements and the effects of climate change on river values and current and projected water supplies; and to consider other factors. The report must be submitted to the Legislature and Governor and would require the report to include a clear recommendation on the suitability or nonsuitability for addition to the system of each of the designated segments of the Mokelumne River.

This letter is to request information from you to assist in our preparation of the report. GEI Consultants will be assisting the Agency prepare the report. GEI's Mr. Phil Dunn will be the Project Manager. We are seeking any relevant existing information on existing and future Mokelumne River water supplies and water uses; regional climate change; and Mokelumne River geologic, water and water quality, scenic, recreational, fish, botanical, wildlife, cultural and historic, and/or scientific, ecological, or educational resources, especially those that may be deemed to be extraordinary. A list of materials received to date has been appended to this letter for your reference.

Existing information that will be reviewed includes, but is not limited to, the following:

- Water supply and demand information such as average and peak water use, conveyance capacities, and storage capacities for Mokelumne River water users potentially affected by the Wild and Scenic designation (designation);
- Existing reports relating to Mokelumne River flows and climate change impacts;
- PG&E Project 137 FERC license conditions and operational parameters;
- Climate change modeling analyses and results performed for the Mokelumne River and/or other nearby central Sierra Nevada river systems; and
- Reports including, but not limited to, the Upper Mokelumne Watershed Assessment Report, the Mokelumne Watershed Interregional Sustainability Evaluation (MokeWISE) Final Report, local agency Urban Water Management Plans, MOCASIM modeling reports, Mokelumne-Amador-Calaveras Integrated Regional Water

1416 Ninth Street, Suite 1311, Sacramento, CA 95814 Ph. 916.653.5656 Fax 916.653.8102 http://resources.ca.gov

Management Plan, past federal agency analyses of Mokelumne River, and other relevant documents to inform the project.

Please send any information related to the scope of review above (electronic copies preferred) to me with a copy to Mr. Dunn by noon on July 21, 2017. For any materials relevant to the study that are not possible to send by July 21, 2017, please notify Mr. Dunn and myself of the name, contents, and anticipated delivery date of such materials by July 21, 2017. We will make every feasible effort to evaluate submitted information for use in the development of this report.

Please use the email addresses joseph.wall@resources.ca.gov and pdunn@geiconsultants.com.

We greatly appreciate your assistance in our completion of this important study.

Sincerely,

Joseph Wall
Assembly Bill 142 Study Coordinator
California Natural Resources Agency
1416 Ninth Street, Suite 1311 | Sacramento, CA 95814
(916) 651-0393 | joseph.wall@resources.ca.gov

CALIFORNIA natural resources AGENCY

EDMUND G. BROWN JR., Governor
JOHN LAIRD, Secretary for Natural Resources

List of Information Received To Date (as of June 27, 2017)

California Research Bureau memorandum to Lois Wolk on CA Wild and Scenic Rivers Act (CRB 2005)

Past California Wild & Scenic River Studies (McCloud, West Walker, and East Fork Carson Rivers; and Deer and Mill Creeks)

The California Wild & Scenic Rivers Act (Friends of the River 2015)

Mokelumne River Regional Water Storage and Conjunctive Use Project – MORE WATER Feasibility Analysis, Environmental Documentation Phase 1 – Reconnaissance Study Summary Report (Mokelumne River Water & Power Authority 2004)

Hydrologic Response and Watershed Sensitivity to Climate Warming in California's Sierra Nevada (Null et al. 2010)

MokeWISE Program Final Report (RMC June 2015) and all other MokeWISE documents available at http://www.mokewise.org/documents

Draft Technical Memorandum Camanche Area Regional Water Supply Plan (RMC 2012)

Upper Mokelumne River Watershed Assessment and Planning Project (RMC 2007)

Mokelumne/Amador/Calaveras IRWMP (RMC 2006)

Assessment of Interests: Study of the Suitability of Mokelumne River as Wild and Scenic River of California (Sierra Nevada Conservancy 2015)

Mokelumne Watershed Avoided Cost Analysis (Sierra Nevada Conservancy 2014) and all other documents available at http://sierranevada.ca.gov/our-work/mokelumne-watershed-analysis

Stanislaus National Forest Land and Resource Management Plan EIS, Appendix E Wild and Scenic River Eligibility and Suitability (USFS 2002 reprint of 1991 Forest Plan EIS Appendix E)

Impacts of Wild and Scenic River Designation (Utah State University 2008)

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Verifying Reported Historical Natural Barriers to the Upstream Migration of Chinook Salmon (Oncorhynchus tshawytscha) and Steelhead (Oncorhynchus mykiss) in the Mokelumne River Watershed (EBMUD 2014)

2009/2010 Stream Geomorphology Monitoring (HDR DTA 2012)

Sizing and Siting Environmental Study for the Pardee Reservoir Enlargement Project (Entrix 1998)

"Adaptive Management in Federal Energy Regulatory Commission Relicensing" [book chapter] (Podolak and Yarnell 2015)

1416 Ninth Street, Suite 1311, Sacramento, CA 95814 Ph. 916.653.5656 Fax 916.653.8102 http://resources.ca.gov

F-2. Stakeholder Mailing List

The following list of stakeholders and individuals received electronic copies and/or were notified of the availability of the Draft Mokelumne River Wild and Scenic River Study Report.

Table F-1. Stakeholder Mailing List

Agency/Organization	Primary Point of Contact
FEDERAL/STATE AGENCIES	
U.S. Army Corps of Engineers	Christy Jones
U.S. Bureau of Land Management	James Eicher
U.S. Bureau of Land Management Area Manager	Bill Haigh
U.S. Bureau of Land Management Area Deputy	James Eicher
U.S. Forest Service	Sherry Hazelhurst
U.S. Forest Service - Eldorado National Forest (Amador District)	Rick Hopson
U.S. Forest Service - Stanislaus National Forest (Calaveras District)	Teressa McClung
Board of Forestry and Fire Protection	Matt Dias
California Department of Fish and Wildlife	Laurie Hatton Susan LaGrande Beth Lawson
California Department of Forestry and Fire Protection	Gabrielle Meindle
California Department of Parks and Recreation	Marivel Barajas Jay Chamberlain
California Department of Water Resources	Hong Lin Jason Preece Kasey Schimke
Sierra Nevada Conservancy	Angela Avery Michael Pickard
State Water Resources Control Board	Rob Egel
COUNTIES/CITIES	
County of Amador	Chuck Llay Ted Novelli John Plasse
County of Calaveras	Darcy Goulart
County of San Joaquin	Tom Gau
County of San Joaquin, Public Works	Brandon Nakagawa
City of Jackson	Mike Daly
City of Lodi, Public Works	Wally Sandelin
City of Plymouth	Jeff Gardner
City of Stockton, Municipal Utilities	Mel Lytle
WATER AGENCIES/SPECIAL DISTRICTS	
Amador Water Agency	Gene Mancebo
Calaveras-Amador Mokelumne River Authority	Scott Ratterman

Table F-1. Stakeholder Mailing List

Agency/Organization	Primary Point of Contact
Calaveras Public Utility District	Donna Leatherman
East Bay Municipal Utility District	Marlaigne Dumaine Richard Sykes
Jackson Valley Irrigation District	Steven Fredrick Hank Willy
North San Joaquin Water Conservation District	Tom Flinn
San Joaquin County Resource Conservation District	Jonna Spaletta
Stockton East Water District	Scot Moody
Woodbridge Irrigation District	Anders Christensen
UMRWA	Rob Alcott
NON-GOVERNMENTAL ORGANIZATIONS	
Calaveras Planning Coalition	Tom Infusino
California Sportfishing Protection Alliance	Chris Shutes
California Valley Miwok Tribe	
Delta Fly Fishers, Inc.	Jerry Neuburger
Foothill Conservancy	Katherine Evatt
Jackson Rancheria	Michael Fallon
My Valley Springs	Joyce Techel
Restore the Delta	Ron Forbes
San Joaquin Farm Bureau Federation	Julianne Phillips
Sierra Club, San Francisco Bay Chapter	Larry Kolb
Trout Unlimited (State level)	Jessica Strickland
OTHER	
Buena Vista Rancheria of Me-Wuk Indians	Mike DeSpain Omar Tinoco
Ione Band of Miwok Indians	Yvonne Miller
Jackson Rancheria Band of Me-Wuk Indians	Marshawn Morla
Pacific Gas and Electric Company	Valerie Turella
INTERESTED PARTIES	
AD Consultants	Avry Dotan
American Whitewater	Theresa Simsiman Dave Steindorf
Balance Hydrologics, Inc.	Barry Hecht
Calaveras Community Action Project	Kerry Williams
Central Delta Water Agency	Dante Nomellini Sr.
Environmental Defense Fund	Anne Hayden
E-PUR	John Lambie
Friends of the River	Bob Center Steve Evans
Hanson Environmental	Chuck Hanson

Table F-1. Stakeholder Mailing List

Agency/Organization	Primary Point of Contact
Keep it Rural Calaveras	Kathy Mayhew
KEJ Consulting	Karen Johnson
Lodi District Grape Growers	Amy Blagg
Lodi Paddle Club	Dan Arbuckle
Loma Prieta Paddlers	Ed Lungren Steve Richardson
M. Cubed	David Mitchell
Pacific Coast Federation of Fishermen's Associations	Zeke Grader
Peterson & Brustad	Dave Peterson
Planning and Conservation League	Jonas Minton
San Joaquin Audubon Society	Dave Wagner
San Joaquin Farm Bureau Federation	Bruce Blodgett Julianne Phillips
Self	Pat Dunn
Sierra Club, Delta-Sierra Group	Paul Plathe Dale Stocking
Sierra Nevada Alliance	Robert Dean
Sierra Pacific Industries	Mark Luster
Sustainable Conservation	Kelli McCune
The Nature Conservancy	David Edelson Kristen Podolak
The Stockton Record	Alex Breitler
Trout Unlimited	Gary Slade
UC Merced SNAMP	Roger Bales Martha Conklin
Wackman Consulting	Mike Wackman
William Self Associates	Jim Allan

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